



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 5-4142-00003/00012
Effective Date: 07/01/2014 Expiration Date: 06/30/2024

Permit Issued To: POMPA BROS INC
5 PETRIFIED GARDENS RD
SARATOGA SPRINGS, NY 12866

Contact: POMPA BROS INC
5 PETRIFIED GARDENS RD
SARATOGA SPRINGS, NY 12866-0561

Facility: POMPA BROS QUARRY & MILL
5 PETRIFIED GARDENS RD
SARATOGA SPRINGS, NY 12866

Contact: POMPA BROS INC
5 PETRIFIED GARDENS RD
SARATOGA SPRINGS, NY 12866

Description:

The facility is a producer of aggregate, hot mix asphalt and ready mix concrete. The facility's products are generated through on-site rock crushers which are powered by a diesel generator. In addition, a hot mix batch asphalt plant with two rotary aggregate dryers.

The specific equipment utilized at this facility is broken down into three emission units. The first emission unit (1-GENER) consists of a 5.8 MMBTU/hr diesel (#2 fuel oil) generator which must be in compliance with state regulation 6 NYCRR 227-1.3(a). The second emission unit (1-ASHAP) consists of two hot mix asphalt plants which have rotary aggregate dryers rated at 180 TPH and 360 TPH and a bag house on each plant. This emission unit (1-ASHAP) must be in compliance with federal regulation 40 CFR 60.90 Subpart I and state regulation 6 NYCRR 212-6(a). The third emission unit (1-ROCK) consists of a 30 X 42 inch jaw crusher (250 TPH), 1510 FC crusher (200 TPH), 66 Nordberg gyrodisk portable crusher (140 TPH), 4 X 10 foot scalping screen (250 TPH), two 7 X 20 foot triple deck screens, 5 X 16 foot double deck screens, 48VFC cone crusher (105 TPH). This emission unit must be in compliance with state regulation 6 NYCRR 212-6(a).

The criteria pollutants CO, SO₂, PM-10 and NO_x will be capped for emission unit 1-GENER and emission unit 1-ASHAP to ensure the facility does not exceed 100 tons during any 12 months rolling period.

New York State Department of Environmental Conservation
Facility DEC ID: 5414200003



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: MARC S MIGLIORE
 NYSDEC
 232 GOLF COURSE RD
 WARRENSBURG, NY 12885

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 5 SUBOFFICE - WARRENSBURG



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

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

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

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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



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

Item 4.1:

The Department reserves the right to 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 5
SUBOFFICE - WARRENSBURG
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 5 Sub-office
Division of Environmental Permits
232 Golf Course Road
Warrensburg, NY 12885-1172
(518) 623-1281

New York State Department of Environmental Conservation

Permit ID: 5-4142-00003/00012

Facility DEC ID: 5414200003



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: POMPA BROS INC
5 PETRIFIED GARDENS RD
SARATOGA SPRINGS, NY 12866

Facility: POMPA BROS QUARRY & MILL
5 PETRIFIED GARDENS RD
SARATOGA SPRINGS, NY 12866

Authorized Activity By Standard Industrial Classification Code:
1422 - CRUSHED AND BROKEN LIMESTONE
2951 - PAVING MIXTURES AND BLOCKS
3272 - CONCRETE PRODUCTS, NEC
3273 - READY-MIXED CONCRETE

Permit Effective Date: 07/01/2014

Permit Expiration Date: 06/30/2024



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 200.7: Maintenance of Equipment
- 3 6 NYCRR 201-1.7: Recycling and Salvage
- 4 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 5 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 6 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 7 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- *8 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *9 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 10 6 NYCRR 211.1: Air pollution prohibited
- 11 6 NYCRR 212.3 (a): Emissions from existing sources
- 12 6 NYCRR 212.12 (a) (1): Compliance Demonstration
- 13 6 NYCRR 212.12 (a) (2): Compliance Demonstration
- 14 6 NYCRR 212.12 (b): Compliance Demonstration
- 15 6 NYCRR 225-1.2 (b): Compliance Demonstration
- 16 6 NYCRR 225-1.2 (f): Compliance Demonstration
- 17 6 NYCRR 225-1.2 (g): Compliance Demonstration
- 18 6 NYCRR 225-1.2 (h): Compliance Demonstration
- 19 40CFR 60.670(d)(1), NSPS Subpart OOO: Exemption for equipment replacement when equipment does not increase emissions
- 20 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
- 21 40CFR 63, Subpart ZZZZ: Compliance and Enforcement

Emission Unit Level

- 22 6 NYCRR 212.6 (a): Compliance Demonstration

EU=1-ASHAP,EP=ASP10

- 23 6 NYCRR 212.9 (d): Compliance Demonstration

EU=1-ASHAP,EP=ASP11

- 24 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration
- 25 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration

EU=1-GENER

- 26 6 NYCRR 227-1.3 (a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 27 ECL 19-0301: Contaminant List
- 28 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 29 6 NYCRR Subpart 201-5: Emission Unit Definition
- 30 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 31 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 32 6 NYCRR 211.2: Visible Emissions Limited



Emission Unit Level

- 33 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 34 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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



required to operate such device effectively.

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

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

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

Item E: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

- Item K: Open Fires Prohibitions - 6 NYCRR 215.2**
Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.
- Item L: Permit Exclusion - ECL 19-0305**
The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.
- Item M: Federally Enforceable Requirements - 40 CFR 70.6 (b)**
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: Acceptable Ambient Air Quality



Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 200.6

Item 1.1:

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.

Condition 2: Maintenance of Equipment
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 200.7

Item 2.1:

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

Condition 3: Recycling and Salvage
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 3.1:

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

Condition 4: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 4.1:

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.

Condition 5: Exempt Sources - Proof of Eligibility
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 201-3.2 (a)

Item 5.1:

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The

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owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

Condition 6: Trivial Sources - Proof of Eligibility
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 201-3.3 (a)

Item 6.1:

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

Condition 7: Facility Permissible Emissions
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 7.1:

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

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

CAS No: 000630-08-0	PTE: 196,800 pounds per year
Name: CARBON MONOXIDE	
CAS No: 007446-09-5	PTE: 42,700 pounds per year
Name: SULFUR DIOXIDE	
CAS No: 0NY210-00-0	PTE: 67,000 pounds per year
Name: OXIDES OF NITROGEN	

Condition 8: Capping Monitoring Condition
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 8.1:

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 8.2:

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

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Item 8.3:

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 8.4:

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 8.5:

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 8.6:

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

Emission Unit: 1-ASHAP

Regulated Contaminant(s):

CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 0NY210-00-0	OXIDES OF NITROGEN
CAS No: 000630-08-0	CARBON MONOXIDE

Item 8.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

To maintain carbon monoxide (CO), oxides of nitrogen (NOx), PM-10 and sulfur dioxide (SO2) emissions below 99 tpy, the facility production will not exceed 485,000 tons during any consecutive 12 month period.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: VOLUME

Upper Permit Limit: 485000 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



The initial report is due 1/30/2015.
Subsequent reports are due every 12 calendar month(s).

Condition 9: Capping Monitoring Condition
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-7

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 the facility:
The Compliance Demonstration applies to:

Emission Unit: 1-GENER

Regulated Contaminant(s):

CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 0NY210-00-0	OXIDES OF NITROGEN
CAS No: 000630-08-0	CARBON MONOXIDE

Item 9.7:

New York State Department of Environmental Conservation

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Facility DEC ID: 5414200003



Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

To maintain Carbon Monoxide (CO) emissions below 99 tpy, the facility's ultra low sulfur diesel fuel used for all on-site generators (includes exempt generators) will not exceed 20,000 gallons during any consecutive rolling 12 month period.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ULTRA LOW SULFUR DIESEL FUEL

Parameter Monitored: VOLUME

Upper Permit Limit: 20000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

Condition 10: Air pollution prohibited
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 211.1

Item 10.1:

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.

Condition 11: Emissions from existing sources
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 212.3 (a)

Item 11.1:

This Condition applies to:

Emission Unit: 1ASHAP Emission Point: ASP10

Item 11.2:

No person will cause or allow emissions that violate the requirement specified in Table 2, Table 3, or Table 4 of 6NYCRR Part 212 for the environmental rating issued by the commissioner.



Condition 12: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 212.12 (a) (1)

Item 12.1:

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

Emission Unit: 1-ASHAP
Process: 102 Emission Source: 00010

Emission Unit: 1-ASHAP
Process: 102 Emission Source: 00011

Item 12.2:

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: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 13: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 212.12 (a) (2)

Item 13.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 13.2:

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: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 14: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024



Applicable Federal Requirement:6 NYCRR 212.12 (b)

Item 14.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) When the burner is to be replaced, and a low NOx burner is not the unit of choice, the owner or operator of a hot mix asphalt plant must provide the Department with an economic feasibility analysis that justifies their decision. The economic analysis must follow an approach acceptable to the Department.

(2) By January 1, 2020, all owners or operators of active plants which have not installed a low NOx burner must have submitted an economic feasibility analysis. A low NOx burner must be installed for that operating year in all instances in which it proves feasible.

(3) Hot mix asphalt production plants which are in a state of inactivity on January 1, 2020, and have not otherwise complied with the requirements of this subdivision by that date must do so prior to continued operation.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 15: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2014

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

Item 15.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of any stationary combustion installation that fires oil are limited to the firing of oil with a sulfur content of 1.50% sulfur through June 30, 2014.

New York State Department of Environmental Conservation

Permit ID: 5-4142-00003/00012

Facility DEC ID: 5414200003



Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: FUEL OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.50 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 16: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024

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

Item 16.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 16.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:
Owners and/or operators of commercial, industrial, or residential emission sources that fire number two heating oil on or after July 1, 2012 are limited to the purchase of number two heating oil with 0.0015 percent sulfur by weight or less. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 HEATING OIL

New York State Department of Environmental Conservation

Permit ID: 5-4142-00003/00012

Facility DEC ID: 5414200003



Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 17: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024

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

Item 17.1:

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

Emission Unit: 1-GENER

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installation that fires distillate oil other than number two heating oil are limited to the purchase of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2014. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 18: Compliance Demonstration
Effective between the dates of 07/01/2016 and 06/30/2024



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

Item 18.1:

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

Emission Unit: 1-GENER

Item 18.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 19: Exemption for equipment replacement when equipment does
not increase emissions**

Effective between the dates of 07/01/2014 and 06/30/2024

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

OOO

Item 19.1:

This Condition applies to:

Emission Unit: 1ROCKC



Item 19.2:

When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions in §60.672, 60.674, and 60.675 except the owner/operator is not exempt if all existing equipment is replaced as described in §60.670(d)(3).

An owner/operator complying with this condition must submit the information required in §60.676(a).

Condition 20: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:40CFR 60.676, NSPS Subpart OOO

Item 20.1:

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

Emission Unit: 1-ROCKC

Item 20.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator seeking to comply with the replacement provisions specified in §60.670(d) shall submit the following information about the existing facility being replaced and/or the replacement piece of equipment (§60.676(a)):

1. For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:
 - (i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and
 - (ii) The rated capacity in tons per hour of the replacement equipment.
2. For a screening operation:
 - (i) The total surface area of the top screen of the existing screening operation being replaced and
 - (ii) The total surface area of the top screen of the replacement screening operation.
3. For a conveyor belt:
 - (i) The width of the existing belt being replaced and
 - (ii) The width of the replacement conveyor belt.



4. For a storage bin:
 - (i) The rated capacity in megagrams or tons of the existing storage bin being replaced and
 - (ii) The rated capacity in megagrams or tons of replacement storage bins.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 21: Compliance and Enforcement
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 21.1:

This Condition applies to:

Emission Unit: 1GENER

Item 21.2:

The Department has not accepted delegation of 40 CFR Part 63 Subpart ZZZZ. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080. Should the Department decide to accept delegation of 40 CFR Part 63 Subpart ZZZZ during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

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

Condition 22: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 212.6 (a)

Item 22.1:

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

Emission Unit: 1-ASHAP	Emission Point: ASP10
Emission Unit: 1-ROCKC	Emission Point: 00002
Emission Unit: 1-ROCKC	Emission Point: 00004
Emission Unit: 1-ROCKC	Emission Point: 00006



Emission Unit: 1-ROCKC

Emission Point: ROCK9

Item 22.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable Federal Requirement:6 NYCRR 212.9 (d)



Item 23.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-ASHAP Emission Point: ASP10

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

Item 23.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following equation shall be used to determine the permissible solid particulate emission rate (based on process weight):

for existing sources greater than 100,000 lb/hr: $E = [39P^{(0.082)}] - 50$;

where:

E - is the permissible emission rate, and
P - is the process weight in lb/hr.

The facility owner/operator shall keep a record of the material processed (i.e., the process weight cited above) and the emission rate of particulates, calculated based on the equation above. These shall be reported to the Department as cited below.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 24: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024

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

Item 24.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-ASHAP Emission Point: ASP11

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

Item 24.2:

Compliance Demonstration shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 5-4142-00003/00012

Facility DEC ID: 5414200003



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 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: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 25: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024

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

Item 25.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-ASHAP

Emission Point: ASP11

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 25.2:

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 Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 26: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024



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

Item 26.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-GENER

Item 26.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent

New York State Department of Environmental Conservation
Permit ID: 5-4142-00003/00012 **Facility DEC ID: 5414200003**



Reference Test Method: EPA Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability

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

Where 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 B: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 27: Contaminant List
Effective between the dates of 07/01/2014 and 06/30/2024



Applicable State Requirement:ECL 19-0301

Item 27.1:

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

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

CAS No: 007446-09-5
Name: SULFUR DIOXIDE

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

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

Condition 28: Malfunctions and start-up/shutdown activities
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable State Requirement:6 NYCRR 201-1.4

Item 28.1:

(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 29: Emission Unit Definition
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 29.1:

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

Emission Unit: 1-ASHAP

Emission Unit Description:

This emission unit consists of two hot mix batch asphalt plants. One plant has a 360 tpy rotary aggregate dryer and the second has a 180 tpy rotary aggregate dryer. This unit also consists of two 300 ton storage silows.

Building(s): QUARRY

Item 29.2:

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

Emission Unit: 1-GENER

Emission Unit Description:

This unit consists of a 5.8 mmBTU/hr diesel generator used to power a 140tph portable rock crusher plus an 84 HP diesel generator used to power a water pump.

Building(s): QUARRY

Item 29.3:

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

Emission Unit: 1-ROCKC

Emission Unit Description:

This emission unit consists of a 30X48" jaw crusher (275 tph) installed in 2012, a 66S cone crusher (365 tph) installed in 1976, a Telsmith 1510 FC (200 tph) installed in 2013, 66 Nordberg Gyrodisk portable crusher (140 tph) installed 1994, 4X10' scalping screen (250 tph) installed 1971, two 7X20' triple deck screens installed in 1971 and 1976, 5X16' double deck screens installed 1994, and a 48FC cone crusher (105 tph) installed 1981.

The portable rock crusher is exempt (Part 201-3.2(c)(29)(ii) from permitting.

Building(s): QUARRY

New York State Department of Environmental Conservation

Permit ID: 5-4142-00003/00012

Facility DEC ID: 5414200003



Condition 30: Renewal deadlines for state facility permits
Effective between the dates of 07/01/2014 and 06/30/2024

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

Item 30.1:

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 31: Compliance Demonstration
Effective between the dates of 07/01/2014 and 06/30/2024

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

Item 31.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 31.2:

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 5
232 Golf Course Rd.
Warrensburg, NY 12885

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 32: Visible Emissions Limited
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable State Requirement:6 NYCRR 211.2

Item 32.1:

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.

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

Condition 33: Emission Point Definition By Emission Unit



Effective between the dates of 07/01/2014 and 06/30/2024

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 33.1:

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

Emission Unit: 1-ASHAP

Emission Point: ASP10
Height (ft.): 36 Length (in.): 34 Width (in.): 40
NYTMN (km.): 4769.944 NYTME (km.): 593.877

Emission Point: ASP11
Height (ft.): 36 Length (in.): 30 Width (in.): 78
NYTMN (km.): 4769.953 NYTME (km.): 593.898

Emission Point: ASP12
Height (ft.): 68 Diameter (in.): 96
NYTMN (km.): 4770. NYTME (km.): 593.

Emission Point: ASP13
Height (ft.): 68 Diameter (in.): 96
NYTMN (km.): 4770. NYTME (km.): 593.

Item 33.2:

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

Emission Unit: 1-GENER

Emission Point: GEN12
Height (ft.): 10 Diameter (in.): 20
NYTMN (km.): 4770.258 NYTME (km.): 593.724

Item 33.3:

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

Emission Unit: 1-ROCKC

Emission Point: 00002
Height (ft.): 16 Diameter (in.): 48
NYTMN (km.): 4770.243 NYTME (km.): 593.741

Emission Point: 00004
Height (ft.): 16 Length (in.): 30 Width (in.): 120
NYTMN (km.): 4770.245 NYTME (km.): 593.762

Emission Point: 00005
Height (ft.): 16 Length (in.): 48 Width (in.): 48
NYTMN (km.): 4770.256 NYTME (km.): 593.745

Emission Point: 00006



Height (ft.): 12 Length (in.): 48 Width (in.): 48
NYTMN (km.): 4770.256 NYTME (km.): 593.739

Emission Point: 00007
Height (ft.): 16 Length (in.): 192 Width (in.): 60
NYTMN (km.): 4770.254 NYTME (km.): 593.735

Emission Point: ROCK1
Height (ft.): 22 Length (in.): 30 Width (in.): 42
NYTMN (km.): 4770.254 NYTME (km.): 593.76

Emission Point: ROCK9
Height (ft.): 19 Diameter (in.): 48
NYTMN (km.): 4770.254 NYTME (km.): 593.741

Condition 34: Process Definition By Emission Unit
Effective between the dates of 07/01/2014 and 06/30/2024

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 34.1:

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

Emission Unit: 1-ASHAP
Process: 102 Source Classification Code: 3-05-002-30
Process Description:

This emission unit consists of a hot mix batch asphalt plant which has 2 rotary aggregate dryers (360 tph and 180 tph) and two storage silos (300 tons each).

Emission Source/Control: 00010 - Process
Design Capacity: 180 tons per hour

Emission Source/Control: 00011 - Process
Design Capacity: 360 tons per hour

Emission Source/Control: 00013 - Process
Design Capacity: 300 tons

Emission Source/Control: 00014 - Process
Design Capacity: 300 tons

Item 34.2:

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

Emission Unit: 1-GENER
Process: 101 Source Classification Code: 2-02-001-07
Process Description:

This unit consists of a 5.8 mmBTU/hr diesel generator used to power a 140tph portable rock crusher plus an 84 HP diesel generator used to power a water pump

New York State Department of Environmental Conservation

Permit ID: 5-4142-00003/00012

Facility DEC ID: 5414200003



Emission Source/Control: 00012 - Combustion
Design Capacity: 5.8 million Btu per hour

Emission Source/Control: 00017 - Combustion
Design Capacity: 84 horsepower (electric)

Item 34.3:

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

Emission Unit: 1-ROCKC

Process: 103

Source Classification Code: 3-05-320-03

Process Description:

This emission unit consists of a 30X48" jaw crusher (275 tph) installed in 2012, a 66S cone crusher (365 tph) installed in 1976, a Telsmith 1510 FC (200 tph) installed in 2013, 66 Nordberg Gyrodisk portable crusher (140 tph) installed 1994, 4X10' scalping screen (250 tph) installed 1971, two 7X20' triple deck screens installed in 1971 and 1976, 8X20' double deck screens installed 1994, and a 48FC cone crusher (105 tph) installed 1981.

Emission Source/Control: 00002 - Process
Design Capacity: 365 tons per hour

Emission Source/Control: 00004 - Process

Emission Source/Control: 00005 - Process
Design Capacity: 140 tons per hour

Emission Source/Control: 00006 - Process
Design Capacity: 250 tons per hour

Emission Source/Control: 00007 - Process

Emission Source/Control: 00009 - Process
Design Capacity: 105 tons per hour

Emission Source/Control: 00015 - Process
Design Capacity: 275 tons per hour

Emission Source/Control: 00016 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: 00018 - Process

