



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

May 29, 2008

Certified Mail No. 7190 0596 0014 0000 2871

Troy Schwartz, Owner
Schwartz Construction
2331 Old Hornet Road
Council, Idaho 83612

RE: Facility ID No. 777-00388, Schwartz Construction, Council
Final Permit Letter

Dear Mr. Schwartz:

The Department of Environmental Quality (DEQ) is issuing Permit to Construct (PTC) No. P-2007.0193 to Schwartz Construction for a portable sand and gravel and crushed stone plant in Council, in accordance with IDAPA 58.01.01.200 through 228 (Rules for the Control of Air Pollution in Idaho).

This permit is based on your permit application received on September 26, 2007. This permit is effective immediately and replaces Permit by Rule No. PR-060320, issued on August 4, 2006, the terms and conditions of which no longer apply. This permit does not release Schwartz Construction from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances.

Pursuant to General Provision 5 of your permit, it is required that Construction and Operation Notification be provided. Please provide this information as listed to DEQ's Boise Regional Office, 1445 N. Orchard, Boise, Idaho 83706, Fax (208) 373-0287.

In order to fully understand the compliance requirements of this permit, DEQ highly recommends that you schedule a meeting with Tom Krinke, AQ Compliance Officer, at (208) 769-4609 to review and discuss the terms and conditions of this permit. Should you choose to schedule this meeting, DEQ recommends the following representatives attend the meeting: your facility's plant manager, responsible official, environmental contact, and any other staff responsible for day-to-day compliance with permit conditions.

Pursuant to IDAPA 58.01.23, you, as well as any other entity, may have the right to appeal this final agency action within 35 days of the date of this decision. However, prior to filing a petition for a contested case, I encourage you to contact Morrie Lewis at (208) 373-0502 or

Schwartz Construction, Portable
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Morrie.Lewis@deq.idaho.gov to address any questions or concerns you may have with the enclosed permit.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Simon". The signature is written in a cursive, flowing style.

Mike Simon
Stationary Source Program Manager
Air Quality Division

MSML\hp

Project No. P-2007.0193

Enclosures

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Acronyms, Units, and Chemical Nomenclature

| | |
|------------------|--|
| acfm | actual cubic feet per minute |
| AQCR | Air Quality Control Region |
| BMP | Best Management Practices |
| CFR | Code of Federal Regulations |
| CO | carbon monoxide |
| DEQ | Department of Environmental Quality |
| ft | feet |
| HP | horsepower |
| hr/yr | hours per consecutive 12-calendar month period |
| IDAPA | a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act |
| km | kilometer |
| kW | kilowatt |
| lb/hr | pounds per hour |
| m | meters |
| NSPS | New Source Performance Standards |
| O&M | operations and maintenance |
| PERF | Portable Equipment Relocation Form |
| PM | particulate matter |
| PM ₁₀ | particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers |
| PTC | permit to construct |
| SIC | Standard Industrial Classification |
| T/hr | tons per hour |
| UTM | Universal Transverse Mercator |

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2007.0193

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| Permittee: | Schwartz Construction | Facility ID No. 777-00388 |
| Location: | Council, Idaho | |

1. PERMIT TO CONSTRUCT SCOPE

Purpose

- 1.1** This is an initial permit to construct (PTC) for a portable sand and gravel and crushed stone plant.
- 1.2** This PTC replaces the following permit by rule (PBR), the terms and conditions of which shall no longer apply:
- Permit by Rule Registration Notification No. PR-060320, issued August 4, 2006.

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Regulated Sources

1.3 Table 1.1 lists all sources of regulated emissions in this PTC.

Table 1.1 SUMMARY OF REGULATED SOURCES

| Permit Section | Source Description | Emissions Controls |
|---|---|---|
| 2, 3 | <u>Sand and gravel and crushed stone operations</u> | <u>Best Management Practices (BMP), water sprays, or equivalent control methods</u> |
| | Jaw crusher | |
| | Manufacturer: Cedar Rapids | |
| | Model: 1524 | |
| | Construction date: 1940s (reconstructed 1997) | |
| | Maximum capacity: 120 T/hr | |
| | Maximum production: 1,051,200 T/yr | |
| | Cone crusher | |
| | Manufacturer: Kue-Ken | |
| | Model: 36" Gyrodisk, 60 HP electric | |
| | Construction date: 1955 | |
| | Maximum capacity: 120 T/hr | |
| Maximum production: 1,051,200 T/yr | | |
| 2, 3 | Screen | <u>None</u> |
| | Manufacturer: Bonded | |
| | Model: 15 HP electric | |
| | Construction date: 1960s | |
| | Size: 4 x 8 ft (3 decks) | |
| | Maximum capacity: 120 T/hr | |
| | Maximum production: 1,051,200 T/yr | |
| | <u>Generators</u> | |
| | Manufacturer: Onan | |
| | Model: M100 ODVC 15R/28088 | |
| | Construction date: before 2005 | |
| | Maximum capacity: 165 HP | |
| Maximum operation: 1,900 hr/yr (combined hours for both generators) | | |
| Fuel: Distillate Fuel Oil No. 1 and 2 | | |
| Displacement: 1.1 liters/cylinder | | |
| 2, 3 | Manufacturer: Detroit Diesel | <u>None</u> |
| | Model: 6-71 | |
| | Construction date: before 2005 | |
| | Maximum capacity: 238 HP | |
| | Maximum operation: 1,900 hr/yr (combined hours for both generators) | |
| | Fuel: Distillate Fuel Oil No. 1 and 2 | |
| | Displacement: 1.2 liters/cylinder | |
| | (Detroit Diesel incorporated with jaw crusher 1997) | |

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2. FACILITY-WIDE REQUIREMENTS

Visible Emissions

2.1 Visible Emissions/Opacity Limit

Emissions from any baghouse/cartridge filter stack or from any stack, vent, or other functionally equivalent opening shall not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625. Opacity shall be determined using the test methods and procedures in IDAPA 58.01.01.625.

2.2 Visible Emissions/Opacity Monitoring

Each month that the facility is operated, the permittee shall conduct a facility-wide inspection of potential sources of visible emissions, including any stack, vent, or other functionally equivalent opening, during daylight hours and under normal operating conditions. The visible emissions inspection shall consist of a see/no see evaluation for each potential source. If any visible emissions are present from any point of emission, the permittee shall either take appropriate corrective action as expeditiously as practicable, or perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each visible emissions inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

Fugitive Emissions

2.3 Reasonable Control of Fugitive Emissions

All reasonable precautions shall be taken to prevent particulate matter (PM) from becoming airborne in accordance with IDAPA 58.01.01.650-651. In determining what is reasonable, consideration will be given to factors such as the proximity of dust-emitting operations to human habitations and/or activities and atmospheric conditions that might affect the movement of particulate matter. Some of the reasonable precautions include, but are not limited to, the following:

- Use, where practical, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of lands.
- Application, where practical, of asphalt, oil, water, or suitable chemicals to, or covering of, dirt roads, material stockpiles, and other surfaces which can create dust.
- Installation and use, where practical, of hoods, fans, and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations.
- Covering, where practical, of open-bodied trucks transporting materials likely to give rise to airborne dusts.
- Paving of roadways and their maintenance in a clean condition, where practical.
- Prompt removal of earth or other stored material from streets, where practical.

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2.4 Fugitive Dust Control Strategies

The permittee shall immediately implement a strategy or strategies to control fugitive dust emissions whenever:

- Visible fugitive emissions are observed leaving the facility boundary. For the purposes of this permit condition, visible emissions shall be determined on a see/no see basis, and the facility boundary shall be defined by the facility property boundary.
- Visible fugitive emissions are greater than 20% from any transfer point. For the purposes of this permit condition, transfer points include, but are not limited to, the following: transfer of sand and aggregate to respective weight bins/hoppers or storage bins/hoppers; transfer of sand and aggregate from respective weight bins/hoppers or storage bins/hoppers to a conveyor; transfer of sand and aggregate from a conveyor to the mixer; and transfer of cement and cement supplement from the storage silo to the mixer.

Transfer point control strategies for this facility shall include manual water spray capability or installing, operating, and maintaining water spray bars at transfer points, and may also include limiting drop heights as such that there is a homogeneous flow of material.

- Visible fugitive emissions from wind erosion on stockpiles exceed 20% opacity for a period or periods aggregating more than one minute in any 60-minute period.
- Stockpile wind erosion control strategies include, but are not limited to, the following: limit the height of the stockpiles; limit the disturbance of stockpiles; and apply water or a chemical dust suppressant onto the surface of the stockpile.
- Visible fugitive emissions from vehicle traffic on any paved or unpaved roads within the facility boundary exceed 20% opacity for a period or periods aggregating more than one minute in any 60-minute period.

Visible fugitive emissions control strategies for vehicle traffic on paved and unpaved roads within the facility boundary include, but are not limited to, the following: limit vehicle traffic; limit vehicle speed; apply water or a chemical dust suppressant to the surface of the road; apply gravel to the surface of unpaved roads; and sweep or use water sprays to clean the surface of a paved road.

2.5 Fugitive Dust Monitoring

Each day that the facility is operated, the permittee shall conduct a facility-wide inspection of potential sources of fugitive emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive emissions inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive emissions, and the date the corrective action was taken.

Each time fugitive dust emissions trigger correction of a dust control strategy or implementation of additional dust control strategies in accordance with Permit Condition 2.4, and each time a fugitive dust BMP trigger is activated in accordance with Permit Condition 3.6, the permittee shall monitor and record the trigger, the control strategy or corrective action used, and the results achieved from the use of that control strategy or strategies.

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2.6 Fuel Sulfur Content

No person shall sell, distribute, use, or make available for use any distillate fuel oil containing more than the following percentages of sulfur in accordance with IDAPA 58.01.01.728:

- ASTM Grade 1 fuel oil - 0.3% by weight.
- ASTM Grade 2 fuel oil - 0.5% by weight.

Nonattainment Area Requirements

2.7 PM₁₀ Nonattainment Areas

The permittee shall not operate the plant in any PM₁₀ nonattainment area, PM_{2.5} nonattainment area, proposed PM₁₀ nonattainment area, or proposed PM_{2.5} nonattainment area without first obtaining a permit which specifically allows for operations in a nonattainment area or proposed nonattainment area.

Information regarding the geographical location of nonattainment areas in Idaho can be found at:
http://www.deq.idaho.gov/air/data_reports/monitoring/overview.cfm#AttvNon

Relocation

2.8 Relocation

At least 10 days prior to relocation of this plant, the permittee shall submit a scaled plot plan and a complete Portable Equipment Relocation Form (PERF) in accordance with IDAPA 58.01.01.500, to the following address:

PERF Processing Unit
DEQ – Air Quality
1410 N. Hilton
Boise, ID 83706-1255

Phone: (208) 373-0502
Fax: (208) 373-0340

Electronic copies of the PERF may be obtained from the DEQ website;

http://www.deq.idaho.gov/air/permits_forms/forms/ptc_relocation.pdf, or
http://www.deq.idaho.gov/air/permits_forms/forms/ptc_relocation.doc

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3. CRUSHING AND SCREENING OPERATIONS

3.1 Process Description

The facility crushes pit rock and aggregate to reduce material in size to desired specifications. Electric power will be supplied to the facility from the portable generators (or from the power grid when available).

3.2 Emissions Control Description

Table 3.1 below describes the control devices or measures associated with the crushing and screening operations.

Table 3.1 CONTROL DESCRIPTION OF THE SAND AND GRAVEL AND CRUSHED STONE PLANT

| Emissions Units / Processes | Emissions Control Device | Emission Sources |
|---|---|--|
| Crushing, screening, and materials transfer (fugitives) | BMP, water sprays, or equivalent control methods Estimated Control Efficiency: 75% | Jaw crusher, Cone crusher Screen, Conveyors (2), Front-end loader, Aggregate dump to ground, Sand dump to ground, Aggregate dump to conveyor, Sand dump to conveyor. |
| Generators | None | 6-71 Detroit Diesel Exit height: 14 ft. Exit diameter: 0.33 ft Exit air flow rate: >745 acfm Exit temperature: >1000 °F Onan Exit height: 14 ft Exit diameter: 0.33 ft Exit air flow rate: >745 acfm Exit temperature: >1000 °F |

Emissions Limits

3.3 Emissions Standards for Fugitive Emissions

No owner or operator shall cause to be discharged into the atmosphere emissions which exhibit greater than twenty percent (20%) opacity from any crusher, grinding mill, screening operation, bucket elevator, belt conveyor, conveying system, transfer point, vent, capture system, storage bin, stockpile, truck dumping operation, vehicle traffic on an affected paved public roadway, vehicle traffic on or wind erosion of an unpaved haul road, or other source of fugitive emissions in accordance with IDAPA 58.01.01.793. Opacity shall be determined using the test methods and procedures in IDAPA 58.01.01.625.

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Operating Requirements

3.4 Generator Operating Hours

The sum of the operating hours of the Onan generator and the operating hours of the Detroit Diesel generator shall not exceed 1,900 hours per any consecutive 12-calendar month period (hr/yr).

3.5 Permitted Fuels

The generators shall combust only distillate fuel oil ASTM Grade 1 and 2 (or a mixture of ASTM Grade 1 and Grade 2).

3.6 Nonmetallic Minerals Processing Plant Fugitive Dust Best Management Practice

The permittee shall use Best Management Practices (BMP), as defined by IDAPA 58.01.01.011.01, to control the emissions of fugitive dust as described in IDAPA 58.01.01.799.

3.6.1 Crushers and grinding mills BMP

Triggers that require initiation of a strategy or strategies to control fugitive dust emissions from any crusher, grinding mill, building vent, or capture system stack include, but are not limited to, the following:

- Opacity greater than 20% from any crusher or grinding mill at which a capture system is not used.
- For any crusher or grinding mill located within a building, opacity greater than 20% from any building vent.
- Opacity greater than 20% from any capture stack.
- Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the permittee for merit. If the permittee determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. DEQ may review records and investigate citizen complaints as appropriate. If DEQ finds that a complaint has merit, it may determine additional control measures are required.

Strategies. The following are control strategies for any crusher, grinding mill, building vent, or capture system stack. Controls shall be applied on a frequency such that visible fugitive emissions do not exceed any applicable opacity limit.

- Limit drop heights of materials such that there is a homogeneous flow of material.
- Install, operate, and maintain water supply bars to control fugitive dust emissions at crusher drop points as necessary.
- Other control strategy or strategies as approved in writing by DEQ.

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3.6.2 Transfer points, screening operations, and stacks and vents BMP

Triggers that require initiation of a strategy or strategies to control fugitive dust emissions from transfer points, belt conveyors, bucket elevators, screening operations, conveying systems, capture systems, and building vents include, but are not limited to the following:

- Opacity greater than 20% from any transfer point on a belt conveyor, conveying system, bucket elevator, or screening operation.
- For any transfer point on a belt conveyor, conveyor system, bucket elevator, or screening operation located within a building, opacity greater than 20% from any building vent.
- Opacity greater than 20% from any capture system stack.
- Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the permittee for merit. If the permittee determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. DEQ may review records and investigate citizen complaints as appropriate. If DEQ finds that a complaint has merit, it may determine additional control measures are required.

Strategies. The following are control strategies for transfer points, belt conveyors, bucket elevators, screening operations, conveying systems, capture systems, and building vents. Controls shall be applied on a frequency such that visible emissions do not exceed any applicable opacity limit.

- Limit drop heights of materials such that there is a homogeneous flow of material.
- Install, operate, and maintain water spray bars to control fugitive dust emissions at transfer points on belt conveyors, conveying systems, bucket elevators, and screening operations as necessary.
- Other control strategy or strategies as approved in writing by DEQ.

3.6.3 Vehicle Track-out BMP

Triggers that require initiation of a strategy or strategies to control fugitive dust emissions from track-out include, but are not limited to:

- Visible deposition of mud, dirt, or similar debris on the surface of a paved public roadway.
- Visible fugitive emissions from vehicle traffic on an affected paved public roadway that approach 20% opacity for a period or periods aggregating more than one minute in any sixty minute period.
- Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the permittee for merit. If the permittee determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. DEQ may review records and investigate citizen complaints as appropriate. If DEQ finds that a complaint has merit, it may determine additional control measures are required.

Strategies. The following are control strategies for track-out:

- Prompt removal of mud, dirt, or similar debris from the affected surface of the paved public roadway.
- Water flush, and/or water flush and vacuum sweep, the affected surface of the paved public roadway. Runoff shall be controlled so it does not saturate the surface of the adjacent unpaved haul road such that track-out is enhanced. If runoff is not, or cannot be controlled, gravel shall be applied to the surface of the adjacent unpaved haul road over an area sufficient to control track-out.
- Apply gravel to the surface of the adjacent unpaved haul road. The area of application shall be sufficient to control track-out.

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- Apply an environmentally safe chemical soil stabilizer or chemical dust suppressant to the surface of the adjacent unpaved haul road. The area of application shall be sufficient to control track-out.
- Other control strategy or strategies as approved in writing by DEQ.

3.6.4 Unpaved Haul Roads BMP

Triggers that require initiation of a strategy or strategies to control fugitive dust emissions from unpaved haul roads include, but are not limited to:

- Visible fugitive emissions from vehicle traffic on an affected paved public roadway that approach 20% opacity for a period or periods aggregating more than one minute in any 60 minute period.
- Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the permittee for merit. If the permittee determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. DEQ may review records and investigate citizen complaints as appropriate. If DEQ finds that a complaint has merit, it may determine additional control measures are required.

Strategies. The following are control strategies for fugitive dust emissions from unpaved haul roads.

- Limit vehicle traffic on unpaved haul roads.
- Limit vehicle speeds on unpaved haul roads. If a speed limit is imposed, signs shall be posted along the haul road route and clearly indicate the speed limit. Signs shall be placed so they are visible to vehicles entering and leaving the site of operations.
- Apply water to the surface of the unpaved haul road. Runoff shall be controlled so it does not saturate the surface of the unpaved haul road such that it causes track-out. If runoff is not, or cannot be controlled gravel shall be applied to the surface of the unpaved haul road over an area sufficient to control track-out.
- Apply gravel to the surface of the unpaved haul road.
- Apply an environmentally safe chemical soil stabilizer or chemical dust suppressant to the surface of the unpaved haul road.
- Other control strategy or strategies as approved in writing by DEQ.

3.6.5 Stockpiles BMP

Triggers that require immediate initiation of a strategy or strategies to control fugitive dust emissions from stockpiles include, are but not limited to:

- Visible fugitive emission from wind erosion of any stockpile that approaches 20% opacity for a period or periods aggregating more than one minute in any 60 minute period.
- Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the permittee for merit. If the permittee determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. DEQ may review records and investigate citizen complaints as appropriate. If DEQ finds that a complaint has merit, it may determine additional control measures are required.

Strategies. The following are control strategies for stockpiles.

- Limit the height of the stockpiles.
- Limit the disturbance of the stockpiles.

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- Apply water onto the surface of the stockpile.
- Other control strategy or strategies as approved in writing by DEQ.

Monitoring and Recordkeeping Requirements

3.7 Generator Operating Hours

Each day that a generator is operated, the permittee shall monitor and record the operating hours of each generator in hours per day, hours per month, and hours per consecutive 12-calendar month period to demonstrate compliance with Permit Condition 3.4.

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4. PERMIT TO CONSTRUCT GENERAL PROVISIONS

General Compliance

1. The permittee has a continuing duty to comply with all terms and conditions of this permit. All emissions authorized herein shall be consistent with the terms and conditions of this permit and the Rules for the Control of Air Pollution in Idaho. The emissions of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, shall constitute a violation of this permit and the Rules for the Control of Air Pollution in Idaho, and the Environmental Protection and Health Act, Idaho Code §39-101, et seq.

[Idaho Code §39-101, et seq.]

2. The permittee shall at all times (except as provided in the Rules for the Control of Air Pollution in Idaho) maintain in good working order and operate as efficiently as practicable, all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution.

[IDAPA 58.01.01.211, 5/1/94]

3. Nothing in this permit is intended to relieve or exempt the permittee from the responsibility to comply with all applicable local, state, or federal statutes, rules and regulations.

[IDAPA 58.01.01.212.01, 5/1/94]

Inspection and Entry

4. Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:
- a. Enter upon the permittee's premises where an emissions source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;
 - b. Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - d. As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

[Idaho Code §39-108]

Construction and Operation Notification

5. The permittee shall furnish DEQ written notifications as follows in accordance with IDAPA 58.01.01.211:
- a. A notification of the date of initiation of construction, within five working days after occurrence;
 - b. A notification of the date of any suspension of construction, if such suspension lasts for one year or more;

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- c. A notification of the anticipated date of initial start-up of the stationary source or facility not more than sixty days or less than thirty days prior to such date;
- d. A notification of the actual date of initial start-up of the stationary source or facility within fifteen days after such date; and
- e. A notification of the initial date of achieving the maximum production rate, within five working days after occurrence - production rate and date.

[IDAPA 58.01.01.211, 5/1/94]

Performance Testing

- 6. If performance testing (air emissions source test) is required by this permit, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test date or shorter time period as approved by DEQ. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests that such testing not be performed on weekends or state holidays.

All performance testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, at least 30 days prior to conducting any performance test, the permittee is encouraged to submit a performance test protocol to DEQ for approval. The written protocol shall include a description of the test method(s) to be used, an explanation of any or unusual circumstances regarding the proposed test, and the proposed test schedule for conducting and reporting the test.

Within 30 days following the date in which a performance test required by this permit is concluded, the permittee shall submit to DEQ a performance test report. The written report shall include a description of the process, identification of the test method(s) used, equipment used, all process operating data collected during the test period, and test results, as well as raw test data and associated documentation, including any approved test protocol.

[IDAPA 58.01.01.157, 4/5/00]

Monitoring and Recordkeeping

- 7. The permittee shall maintain sufficient records to ensure compliance with all of the terms and conditions of this permit. Records of monitoring information shall include, but not be limited to the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.211, 5/1/94]

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Excess Emissions

8. The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions due to startup, shutdown, scheduled maintenance, safety measures, upsets and breakdowns.
[IDAPA 58.01.01.130-136, 4/5/00]

Certification

9. All documents submitted to DEQ, including, but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certification shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.
[IDAPA 58.01.01.123, 5/1/94]

False Statements

10. No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.
[IDAPA 58.01.01.125, 3/23/98]

Tampering

11. No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.
[IDAPA 58.01.01.126, 3/23/98]

Transferability

12. This permit is transferable in accordance with procedures listed in IDAPA 58.01.01.209.06.
[IDAPA 58.01.01.209.06, 4/11/06]

Severability

13. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]