STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

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

April 13, 2009

Certified Mail No. 7190 0596 0014 0000 5971

Sam Huffman, Vice President Operations
Idahoan Foods, LLC.
P.O. Box 130
529 N 3500 E
Lewisville, Idaho 83431

RE: Facility ID No. 019-00038, Idahoan Foods, LLC, Idaho Falls, Idaho
Final Permit to Construct and Tier II Operating Permit

Dear Mr. Huffman:

The Department of Environmental Quality (DEQ) is issuing Permit to Construct and Tier II Operating Permit (PTC/T2) No. T2-2009.0027 to Idahoan Foods, LLC for a facility name, facility contact, and responsible official change at its Idaho Falls facility, in accordance with the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.200 through 228 and IDAPA 58.01.01.400-470, respectively.

This permit is based on your permit application received on February 20, 2009. This permit is effective immediately and replaces PTC/T2 No. P-2007.0016, issued on May 9, 2008, the terms and conditions of which no longer apply. This permit does not release Idahoan Foods, LLC 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 Idaho Falls Regional Office, 900 N. Skyline, Suite B, Idaho Falls, ID 83402 Fax (208) 528-2695.

The enclosed permit is effective immediately and is based on the information contained in your permit application. Modification to and/or renewal of this permit shall be requested in a timely manner in accordance with the Rules for the Control of Air Pollution in Idaho.

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 Eric Clark at (208) 373-0502 or Eric.Clark@deq.idaho.gov to address any questions or concerns you may have with the enclosed permit.

Sincerely,

Mike Simon
Stationary Source Program Manager
Air Quality Division

MS/EC/hp T2-2009.0027

Enclosure

Printed on Recycled Paper

Air Quality **PERMIT TO CONSTRUCT** **and** **TIER II OPERATING PERMIT** **State of Idaho** **Department of Environmental Quality**	**PERMIT No.:** T2-2009.0027 **FACILITY ID No.:** 019-00038 **AQCR:** 61 **CLASS:** SM80 **ZONE:** 12 **SIC:** 2034 **NAICS:** 311423 **UTM COORDINATE (km):** 418.9, 4829.3

1. **PERMITTEE**
   Idahoan Foods, LLC – Idaho Falls

2. **PROJECT**
   Facility name, facility contact, and responsible official change

3. **MAILING ADDRESS** P.O. Box 130, 529 N. 3500 E.	**CITY** Lewisville	**STATE** ID	**ZIP** 83431
4. **FACILITY CONTACT** Leo Herbert	**TITLE** Plant Manager	**TELEPHONE** 208-754-8156	
5. **RESPONSIBLE OFFICIAL** Sam Huffman	**TITLE** Plant Manager	**TELEPHONE** 208-754-8156	
6. **EXACT PLANT LOCATION** 6140 West River Road, Idaho Falls		**COUNTY** Bonneville	

7. **GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS**
   Dehydrated Potato Processing

8. **PERMIT AUTHORITY**

This permit to construct and Tier II operating permit is issued according to the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.200 through 228 and IDAPA 58.01.01.400 through 470, respectively. This permit pertains only to emissions of air contaminants regulated by the state of Idaho and to the sources specifically allowed to be constructed or modified by this permit.

Only the terms and conditions pertaining to Tier II operating permit requirements are subject to the expiration date of this permit.

The permit to construct conditions in this permit will expire if construction has not begun within two years of its issue date or if construction is suspended for one year.

This permit has been granted on the basis of design information presented with its application. Changes in design, equipment or operations may be considered a modification. Modifications are subject to DEQ review in accordance with IDAPA 58.01.01.200 through 228 of the Rules for the Control of Air Pollution in Idaho.

Eric E. Clark

ERIC CLARK, PERMIT WRITER
DEPARTMENT OF ENVIRONMENTAL QUALITY

Mike Simon

MIKE SIMON, STATIONARY SOURCE PROGRAM MANAGER
DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE ISSUED:	**May 9, 2008**
DATE MODIFIED/REVISED:	**April 13, 2009**
DATE EXPIRES:	**May 9, 2013**

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List of Acronyms, Units, and Chemical Nomenclature

AQCR	Air Quality Control Region
ASTM	American Society for Testing and Materials
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
dscf	dry standard cubic feet
gr	grain (1 lb = 7,000 grains)
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
lb/hr	pounds per hour
MMBtu	million British thermal units
NAICS	North American Industry Classification System
NO_X	nitrogen oxides
NSPS	New Source Performance Standards
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
SM	synthetic minor
SO_2	sulfur dioxide
T/yr	tons per year
UTM	Universal Transverse Mercator
VOC	volatile organic compound

1. PERMIT SCOPE

Purpose

1.1 The purpose of this permit is for a facility name change to Idahoan Foods, LLC. Also, the facility contact and responsible official were changed.

1.2 This PTC and Tier II operating permit revision replaces the following permit, the terms and conditions of which shall no longer apply:

- Tier II Operating Permit No. T2-2007.0116, issued May 9, 2008

Regulated Sources

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

Table 1.1 SUMMARY OF REGULATED SOURCES

Permit Section	Source Description	Emissions Control
3	Boiler BLR_1 Manufacturer: Cleaver Brooks Rated heat capacity: 61.1 MMBtu/hr Model: WT200x-CN5 Date of Manufacture: 1974 Date of Modification: 1981 Fuels: natural gas, biofuels, diesel fuel #2 Boiler BLR-2 Manufacturer: Cleaver Brooks Rated heat capacity: 26.7 MMBtu/hr Model: D34 Date of Manufacture: 1974 Fuels: natural gas only	NONE
4	Bin Dryers (2)	NONE
	Dryer, Proctor and Schwartz, belt type; combined emissions dryers Nos. 1-3	NONE
	Dryer, Flaker/Drum type, Nos. 1-3	NONE
	Air Makeup Units (3)	NONE
	Bag Room Vaculift, Canline Vaculift,	NONE
	Flaker Line 1 & 2 Vaculift	NONE
	Flaker Line 3 Vaculift	NONE

2. FACILITY-WIDE CONDITIONS

Fugitive Emissions

2.1 All reasonable precautions shall be taken to prevent 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.

2.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (i.e., water, chemical dust suppressants, etc.) to reasonably control fugitive emissions.

2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

2.4 The permittee shall conduct a monthly 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.

Odors

2.5 The permittee shall not allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.

2.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall, at a minimum, include the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

Visible Emissions

2.7 The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, NO_x, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.

2.8 The permittee shall conduct a monthly facility-wide inspection of potential sources of visible emissions, 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.

Open Burning

2.9 The permittee shall comply with the requirements of the Rules for Control of Open Burning, IDAPA 58.01.01.600-623.

Reports and Certifications

2.10 Any reporting required by this permit, including but not limited to, records, monitoring data, supporting information, requests for confidential treatment, notifications of intent to test, testing reports, or compliance certifications, 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 documents are true, accurate, and complete. Any reporting required by this permit shall be submitted to the following address:

Air Quality Permit Compliance
Department of Environmental Quality
Idaho Falls Regional Office
900 Skyline, Suite B
Idaho Falls, ID 83402
Phone: (208) 528-2650
Fax: (208) 528-2605

Obligation to Comply

2.11 Receiving a Tier II operating permit shall not relieve any owner or operator of the responsibility to comply with all applicable local, state, and federal rules and regulations.

Fuel-burning Equipment

2.12 The permittee shall not discharge to the atmosphere from any fuel-burning equipment PM in excess of 0.015 gr/dscf of effluent gas corrected to 3% oxygen by volume for gas, 0.050 gr/dscf of effluent gas corrected to 3% oxygen by volume for liquid, 0.050 gr/dscf of effluent gas corrected to 8% oxygen by volume for coal, and 0.080 gr/dscf of effluent gas corrected to 8% oxygen by volume for wood products.

Sulfur Content

2.13 The permittee shall not sell, distribute, use, or make available for use any distillate fuel oil containing more than the following percentages of sulfur:

- ASTM Grade 1 fuel oil - 0.3% by weight.
- ASTM Grade 2 fuel oil - 0.5% by weight.
- ASTM Grades 4, 5, and 6 fuel oil - 1.75% by weight.

2.14 The permittee shall not sell, distribute, use, or make available for use any coal containing greater than 1% sulfur by weight.

2.15 The permittee shall maintain documentation of supplier verification of distillate fuel oil sulfur content on an as-received basis.

NSPS Subpart K - Fuel Oil Storage Tanks

2.16 The permittee shall keep readily accessible records showing the capacity and an analysis of the fuel stored in the 200,000 gallon fuel oil storage tank utilized at the facility in accordance with 40 CFR 60.110.c(2) and 40 CFR 60.113.d(1).

3. BOILER NO. 1 AND BOILER NO. 2

3.1 Process Description

Idahoan Foods, LLC operates two boilers to provide steam for the process units.

3.2 Emission Control Description

Table 3.1 EMISSIONS UNIT DESCRIPTION

Emissions Unit / Process	Emissions Control Device	Emissions Point
Boiler No. 1	None	BLR1
Boiler No. 2	None	BLR2

Emission Limits

3.3 Emission Limits

The PM_{10}, SO_2, NO_X, CO, and VOC emissions from each boiler stack shall not exceed any corresponding emissions rate limits listed in Table 3.2.

Table 3.2 BOILER NO. 1 AND BOILER NO. 2 EMISSIONS LIMITS

Source	PM_{10}		SO_2		NO_X		VOC		CO	
Description	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr
Boiler No.1	5.1	22.3	31.9	93.9	13.5	52.9	0.3	1.5	10.3	45.3
Boiler No.2	0.4	1.8	0.02	0.1	4.0	17.5	0.15	0.6	4.5	19.6

The emissions limits are based on the permitted fuel with the highest criteria pollutants emitted.

3.4 Natural Gas Fuel

The permittee shall not discharge PM to the atmosphere from any fuel-burning equipment in excess of 0.015 gr/dscf of effluent gas corrected to 3% oxygen by volume for gas in accordance with IDAPA 58.01.01.677

3.5 Liquid Fuel.

The permittee shall not discharge PM to the atmosphere from any fuel-burning equipment in excess of 0.050 gr/dscf of effluent gas corrected to 3% oxygen by volume for gas in accordance with IDAPA 58.01.01.677

3.6 Visible Emissions

The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, NO_x, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.

Operating Requirements

3.7 Throughput Limits

Boiler No. 1

- The permittee shall not combust more than 2,640, 000 gallons of distillate fuel oil in Boiler No.1 in any 12 consecutive calendar-month period.
- The permittee shall combust only biofuels, distillate fuel oil, and natural gas in Boiler No. 1.

Boiler No. 2

The permittee shall combust only natural gas in Boiler No. 2.

3.8 Continuous Monitoring

The permittee shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the amount of fuel oil combusted. This requirement does not apply when only natural gas and propane are fired in Boiler No.1.

Monitoring and Recordkeeping Requirements

3.9 Visible Emissions

The permittee shall monitor the visible emissions limitation specified for the stacks of Boiler No. 1 and Boiler No. 2 in accordance with Permit Conditions 2.7, 2.8, and 3.6.

3.10 Grain Loading

The permittee shall monitor and record the type of fuel used by each boiler to determine compliance with Permit Conditions 3.4, 3.5, and 3.7.

3.11 Distillate Fuel Oil Monitoring Requirement

When fuel oil is fired in Boiler No. 1, the permittee shall measure the amount of fuel oil combusted. This requirement does not apply when only natural gas and propane are fired in Boiler #1.

4. DRYER PROCESSES AND MATERIAL TRANSFER SYSTEMS

4.1 Process Description

Idahoan Foods, LLC, is a potato processing company. The overall process primarily involves potato dehydration to make potato flakes. The processes addressed by this section are listed in Table 4.1 and includes dryers, dehydration lines, and material transfer systems. Emissions from each of these sources are uncontrolled.

Table 4.1 FACILITY-WIDE PROCESSING UNITS

Process(es) Units	Emissions Control Device	Emissions Point
Bin Dryers (2)	None	BIN1 and BIN2
Dryer, Proctor and Schwartz (Proctor), belt type; combined emissions dryers Nos. 1-3	None	P1, P2, and P3
Dryer, Flaker/Drum type, Nos. 1-3	None	FL1, FL2, and Fl3
Air Makeup Units (3)	None	AMU-BR, AMU-FR, and AMU-WP
Bag Room Vaculift, Canline Vaculift,	None	BR-VL and CL-VL
Flaker Line 1 & 2 Vaculift	None	FL 1&2-VL
Flaker Line 3 Vaculift	None	FL 3-VL

Emissions Limits

4.2 PM_{10} Emission Limits

Emissions of PM_{10} from the dryers and the flaker stacks shall not exceed any corresponding emissions rate limits listed in the following table.

Table 4.2 DRYER PROCESS AND MATERIAL TRANSFER SYSTEM EMISSIONS LIMITS

Source Description	PM_{10} (lb/day)
Bin Dryers (2) and Air Makeup Units (3)	[a]7.2
Dryer, Proctor and Schwartz, belt type; combined emissions dryer #1, #2, and #3	[a]59.5
Dryer, Flaker/Drum type; combined emissions from Dryer Nos. 1-3	[a]141.1
Combined Vaculifts (4)	[a]9.4

[a]lb/day is based on a total pounds per calendar day, which is determine to be in compliance if the throughput limits Permit Condition 4.3.1 are maintained.

Operating Requirements

4.3 Throughput

4.3.1 Flakers/Drum (3) and Proctors (3)

- The combined total output from the three flaker drum dryers shall not exceed a rate of 93,600 pounds per calendar day.
- The combined total output from the three Proctor and Schwartz (Proctor) belt dryers shall not exceed a rate of 54,000 pounds per calendar day

4.4 Material Transfer System Control Equipment

The permittee shall operate and maintain all vaculifts within manufacturers' and O&M manual specifications.

4.5 Bin Dryer Burners and Makeup Units Fuel

Each bin dryer and air makeup unit shall combust only natural gas or propane.

Monitoring and Recordkeeping Requirements

4.6 Throughput Monitoring

4.6.1 Flaker Drum and Belt Dryers

- When in operation, the permittee shall monitor and record, on a daily basis, the calendar date and the combined total daily output, in pounds per calendar day, from all flaker drum dryers.
- When in operation, the permittee shall monitor and record, on a daily basis, the calendar date and the combined total daily output, in pounds per calendar day, from all Proctor belt dryers.

4.7 Performance Test

Within 180 days of the issuance of this permit, the permittee shall conduct a performance test to measure the combined PM_{10} emissions from the exhaust stacks of one of the three flaker drum lines. The test shall be conducted to demonstrate compliance with pound-per-hour PM_{10} emissions used to determine the limits specified in Permit Condition 4.2. The permittee is encouraged to submit a source testing protocol for approval prior to conducting the performance test.

The permittee shall conduct the test in accordance with IDAPA 58.01.01.157 and General Provision 6, and shall monitor and record the following as instructed:

- The daily throughput of the flaker drum dryers for 10 consecutive calendar days prior to and including the day of the performance test.
- While conducting the performance test, the calculated average throughput shall be at a minimum 80% of the permitted throughput stated in Permit Condition 4.3.
- Each flaker drum dryer production shall be determined by taking a proportional share of the total production of dried potato product produced per calendar day. The proportional share shall be determined by considering the number of hours of the day each flaker drum dryer operates and the rated hourly throughput capacity of each dryer.

4.8 Performance Test

Within 180 days of the issuance of this permit, the permittee shall conduct a performance test to measure the PM_{10} emissions from the stack of one of the three Proctor belt dryers. The test shall be conducted to demonstrate compliance with pound-per-hour PM_{10} emissions used to determine the limits specified in Permit Condition 4.2. The permittee is encouraged to submit a source testing protocol for approval prior to conducting the performance test.

The permittee shall conduct the test in accordance with IDAPA 58.01.01.157 and General Provision 6, and shall monitor and record the following as instructed:

- The daily throughput of the Proctor belt dryers for 10 consecutive calendar days prior to and including the day of the performance test.
- While conducting the performance test, the calculated average throughput shall be at a minimum 80% of the permitted throughput stated in Permit Condition 4.3.
- Each Proctor belt dryer's production shall be determined by taking a proportional share of the total production of dried potato product produced per calendar day. The proportional share shall be determined by considering the number of hours of the day each Proctor belt dryer operates and the rated hourly throughput capacity of each dryer

4.9 Vaculift O&M Manual

The permittee shall develop an O&M manual for the four vaculift systems. The manual shall incorporate procedures and information to demonstrate that the vaculifts are operated as described in the permit application and as required under General Provision 2. At a minimum the following items shall be addressed in the manual:

- The contents of the O&M manual shall be based on manufacturer's information to the extent that it is practical. When the manufacturer's information is not used (e.g., information obtained from a performance test), this should be explained in the manual.
- For each vaculift, include an inspection checklist which lists items that will be periodically inspected while the system is operating. Describe how often these operational inspections will be performed. These inspections should be done at least monthly.
- Describe periodic planned maintenance.

A copy of the initial O&M manual and any subsequent revisions shall be submitted to DEQ.

5. SUMMARY OF EMISSION RATE LIMITS

Table 5.1 SUMMARY OF FACILITY-WIDE EMISSION RATE LIMITS

Idahoan Foods, LLC, Idaho Falls
Emission Limits[a] – Hourly (lb/hr), and Annual[b] (T/yr)

Source Description	Hourly PM_{10}[c] Emissions (lb/hr)	Annual PM_{10}[c] Emissions (T/yr)	SO_2		NO_x		VOC		CO	
			lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr
Boiler No. 1	5.1	22.3	31.9	93.9	13.5	52.9	0.3	1.5	10.3	45.3
Boiler No. 2	0.4	1.8	0.02	0.1	4.0	17.5	0.15	0.6	4.5	19.6
Bin Dryers (2)	0.1	0.42	0.004	0.02	0.95	4.14	0.03	0.15	1.06	4.64
Dryer, Proctor and Schwartz, belt type; combined emissions dryers Nos. 1-3	2.48	10.81								
Dryer, Flaker/Drum type, Nos. 1-3	5.88	25.8								
Air Makeup Units (3)	0.2	0.67	0.007	0.03	1.51	6.57	0.05	0.24	1.68	7.36
Bag Room Vaculift, Canline Vaculift,	0.08	0.35								
Flaker Line 1 & 2 Vaculift	0.17	0.73								
Flaker Line 3 Vaculift	0.14	0.63								
Total	14.55	63.51	31.93	94.05	19.96	81.11	0.53	2.49	17.54	76.9

[a]As determined by a pollutant-specific EPA reference method, a DEQ-approved alternative, or as determined by DEQ's emissions estimation methods used in this permit analysis.
[b] As determined by multiplying the actual or allowable (if actual is not available) pound per hour emission rate by the allowable hours per year that the process(es) may operate(s), or by actual annual production rates.
[c] Includes condensibles, the pound per hour for process units are determine by dividing the pound per day emission limit stated in permit condition 4.2 by 24 hour per day.

6. PERMIT TO CONSTRUCT AND TIER II OPERATING PERMIT 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, the Rules for the Control of Air Pollution in Idaho, and the Environmental Protection and Health Act.

[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, 405, 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, 406, 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 a Tier I 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;

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, 405, 5/1/94]

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]

Expiration and Renewal

12. This permit shall be renewable on the expiration date, provided the permittee submits an application for renewal to the Department and continues to meet all terms and conditions contained in the permit. The expiration of this permit will not affect the operation of the stationary source or facility during the administrative procedure period associated with the permit renewal process.
[IDAPA 58.01.01.209.04, 7/1/02]

Transferability

13. This permit is transferable in accordance with procedures listed in IDAPA 58.01.01.209.06 and 404.05.
[IDAPA 58.01.01.209.06, 404.05, 4/11/06]

Severability

14. 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)]