



State of Idaho
Department of Environmental Quality
Air Quality Division

**AIR QUALITY PERMIT
STATEMENT OF BASIS**

**Project No. O-2009.0126 for
Tier II Permit Revision No. T2-2009.0057 to
Acknowledge Change of Ownership**

Final

Western States Asphalt

Boise, Idaho

Facility ID No. 001-00049

December 4, 2009

Robert Baldwin

A handwritten signature in black ink, appearing to read "RB", written over the printed name "Robert Baldwin".

Permit Writer

The purpose of this Statement of Basis is to satisfy the requirements of IDAPA 58.01.01. et seq, Rules for the Control of Air Pollution in Idaho, for issuing air permits.

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Acronyms, Units, and Chemical Nomenclature

acfm	actual cubic feet per minute
AFS	AIRS Facility Subsystem
AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
Btu	British thermal unit
CFR	Code of Federal Regulations
CMS	EPA Compliance Monitoring Strategy (CMS), April 2001 draft revision
CO	carbon monoxide
DEQ	Department of Environmental Quality
gr	grain (1 lb = 7,000 grains)
dscf	dry standard cubic feet
EPA	U.S. Environmental Protection Agency
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
lb/hr	pounds per hour
m	meter(s)
MACT	Maximum Achievable Control Technology
MMBtu	million British thermal units
NAICS	North American Industry Classification System
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO _x	nitrogen oxides
NSPS	New Source Performance Standards
PC	permit condition
PM	particulate matter
PM ₁₀	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppm	parts per million
PSD	Prevention of Significant Deterioration
PTC	permit to construct
PTE	potential to emit
Rules	Rules for the Control of Air Pollution in Idaho
scf	standard cubic feet
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	sulfur dioxide
TAP	Toxic Air Pollutant
T/yr	tons per year
VOC	volatile organic compound

STATEMENT OF BASIS

Permittee:	Western States Asphalt	Permit No.	T2-2009.0057
Location:	Boise, Idaho	Facility ID No.	001-00049

1. FACILITY INFORMATION

1.1 Facility Description

Western States Asphalt operates an asphalt terminal in Boise (Boise Asphalt Terminal). The facility receives asphalt cement (AC) by truck and railcar and stores the AC in above ground tanks. The AC is shipped out via truck. In addition, asphalt emulsion (AE) and emulsion cutback (EC) is manufactured through the milling of additives such as soaps, tall oil, caustic, hydrochloric acid and fuel oil along with the asphalt cement. The AE and EC are stored on-side in tanks and eventually shipped out via truck. Table 3.1 below provides a list of equipment currently in operation at the facility. Steam from the boiler is used to heat the asphalt cement so that it can be pumped. The hot-oil heater is used to keep the contents in various tanks warm so they can be pumped into trucks for shipment. The facility uses several large storage tanks. Sources of fugitive organic vapor emissions at the facility are pumps, valves, and fittings. Sources of fugitive dust emissions are paved and unpaved roads and traffic areas.

1.2 Permitting Action and Facility Permitting History

This permitting action is a Tier II Revision to reflect a change in ownership. The following information was derived from a review of the permit files available to DEQ. Permit status is noted as active and in effect (A) or superseded (S).

October 01, 2009	DEQ received an application for a change of ownership from SemMaterials Energy Partners, LLC to Western States Asphalt.
July 1, 2008	T2-2008.0039 - renewal – tanks changes and replacement of two Kewanee boilers with one Sellers boiler – owner changed from Koch to SemMaterials - Permit status (S) with this permitting action.
March 14, 2003	T2-001-00049 – renewal – addition of storage tanks - Permit status (S)
April 4, 1997	T2-001-00049 – Permit status (S)

2. APPLICATION SCOPE AND APPLICATION CHRONOLOGY

2.1 Application Scope

DEQ received a letter from Jerry Parsons, Executive Vice-President of SemMaterials Energy Partners, LLC concerning the change in ownership of the Boise asphalt facility to transfer from SemMaterials Energy Partners, LLC to Western States Asphalt.

2.2 Application Chronology

October 1, 2009	DEQ received a letter from Jerry Parsons of SemMaterials Energy Partners, LLC requesting a change in ownership from SemMaterials Energy Partners, LLC to Western States Asphalt.
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3. TECHNICAL ANALYSIS

3.1 Emission Unit and Control Device

No change. Refer to the June 30, 2008 Air Quality Permitting Statement of Basis.

STATEMENT OF BASIS

Permittee:	Western States Asphalt	Permit No.	T2-2009.0057
Location:	Boise, Idaho	Facility ID No.	001-00049

3.2 Emissions Inventory

No change. Refer to the June 30, 2008 Air Quality Permitting Statement of Basis.

3.3 Ambient Air Quality Impact Analysis

A modeling analysis to assess ambient air quality impacts is not required for this permit revision since potential emissions of criteria and toxic emissions will not increase as a result of issuance of this permit.

3.4 Origin of Existing Emissions Limits

No change. Refer to the June 30, 2008 Air Quality Permitting Statement of Basis.

4. REGULATORY REVIEW

4.1 Attainment Designation (40 CFR 81.313)

The facility is located in Ada County which is designated as attainment for CO and PM₁₀, and unclassifiable for PM_{2.5}, NO₂, SO_x, and Ozone. Reference 40 CFR 81.313.

The facility is classified as a "B" source because the actual and potential emissions are below all applicable major source thresholds.

The AIRS information provided in the June 30, 2008 Air Quality Permitting Statement of Basis does not have to be updated because this permitting action does not change the facility's potential to emit.

4.2 Permit to Construct (IDAPA 58.01.01.201)

This permitting action is a Tier II revision.

4.3 Tier II Operating Permit (IDAPA 58.01.01.401)

This permitting action is a Tier II revision to reflect a change in ownership.

4.4 Title V Classification (IDAPA 58.01.01.300, 40 CFR Part 70)

No change.

4.5 PSD Classification (40 CFR 52.21)

No change.

4.6 NSPS Applicability (40 CFR 60)

No change.

4.7 NESHAP Applicability (40 CFR 61)

No change.

4.8 MACT Applicability (40 CFR 63)

No change.

4.9 CAM Applicability (40 CFR 64)

No change.

STATEMENT OF BASIS

Permittee:	Western States Asphalt	Permit No.	T2-2009.0057
Location:	Boise, Idaho	Facility ID No.	001-00049

4.10 Permit Conditions Review

Permit Cover Page. On the permit cover page, the permittee name, responsible official, and mailing address were changed as requested.

Permit Section 1. The Scope of the Tier II permit revision in Section 1 was revised to reflect a change in ownership only.

5. PERMIT FEES

The fee for Tier II operating permit T2-2008.0039, issued July 1, 2008, was \$10,000.00 because it is a synthetic minor stationary source with permitted emissions below a major threshold level, and that fee has been paid in full. Table 5.1 lists the processing fee associated with permitting action for O-2009.0126. The facility is not subject to processing fees because this action is a change in ownership per IDAPA 58.10.01.407.02(c).

**Table 5.1 PROCESSING FEE TABLE
T2-2009.0057 ACTIVITY**

Emissions Inventory			
Pollutant	Annual Emissions Increase (T/yr)	Annual Emissions Reduction (T/yr)	Annual Emissions Change (T/yr)
NO _x	0.0	0	0.0
SO ₂	0.0	0	0.0
CO	0.0	0	0.0
PM ₁₀	0.0	0	0.0
VOC	0.0	0	0.0
HAPS	0.0	0	0.0
Total:	0.0	0	0.0
Fee Due	\$ 0.00		

6. PUBLIC COMMENT

This permitting action is for a Tier II revision per Section 404.05 for change in ownership. Issuance of this permit revision will not result in an increase in allowable emissions for this facility. On this basis, the opportunity for comment requirements do not apply to this Tier II revision.

APPENDIX A – AIRS INFORMATION

AIRS/AFS Facility-wide Classification - Data Form

Facility Name: SemMaterials Energy Partners, LLC
Facility Location: Boise Asphalt Plant
Facility ID: 001-00049 **Date:** June 24, 2009
Project/Permit No.: T2-2009.0057 **Completed By:** Kathleen Hieb

- Check if there are no changes to the facility-wide classification resulting from this action. (compare to form with last permit)
 Comments:
- Yes, this facility is an SM80 source.

Identify the facility's area classification as A (attainment), N (nonattainment), or U (unclassified) for the following pollutants:

	SO2	PM10	VOC
Area Classification:	U	A	U

DO NOT LEAVE ANY BLANK

Check one of the following:

- SIP [0]** - Yes, this facility is subject to SIP requirements. (do not use if facility is Title V)
 OR
 Title V [V] - Yes, this facility is subject to Title V requirements. (If yes, do not also use SIP listed above.)

For SIP or TV, identify the classification (A, SM, B, C, or ND) for the pollutants listed below. Leave box blank if pollutant is not applicable to facility.

	SO2	NOx	CO	PM10	PT (PM)	VOC	THAP
Classification:	B	B	B	B	B	B	B

- PSD [6]** - Yes, this facility has a PSD permit.

If yes, identify the pollutant(s) listed below that apply to PSD. Leave box blank if pollutant does not apply to PSD.

	SO2	NOx	CO	PM10	PT (PM)	VOC	THAP
Classification:	<input type="checkbox"/>						

- NSR - NAA [7]** - Yes, this facility is subject to NSR nonattainment area (IDAPA 58.01.01.204) requirements.

Note: As of 9/12/08, Idaho has no facility in this category.

If yes, identify the pollutant(s) listed below that apply to NSR-NAA. Leave box blank if pollutant does not apply to NSR - NAA.

	SO2	NOx	CO	PM10	PT (PM)	VOC	THAP
Classification:	<input type="checkbox"/>						

- NESHAP [8]** - Yes, this facility is subject to NESHAP (Part 61) requirements. (THAP only)

If yes, what CFR Subpart(s) is applicable?

- NSPS [9]** - Yes, this facility is subject to NSPS (Part 60) requirements.

If yes, what CFR Subpart(s) is applicable?

If yes, identify the pollutant(s) regulated by the subpart(s) listed above. Leave box blank if pollutant does not apply to the NSPS.

	SO2	NOx	CO	PM10	PT (PM)	VOC	THAP
Classification:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				

- MACT [M]** - Yes, this facility is subject to MACT (Part 63) requirements. (THAP only)

If yes, what CFR Subpart(s) is applicable?

APPENDIX B – SUMMARY OF THE POINT SOURCES

SUMMARY OF THE POINT SOURCES

(This is a copy from the Air Quality Permitting Technical Memorandum dated March 14, 2003 that contains NSPS applicability information for the tanks.)

Fuel Burning Equipment

1. Boiler No.1 – Natural gas fired with a maximum rated capacity of 16.74MMBTU/hr. The boiler was constructed in 1975 and it is not a NSPS source.

Boiler Specifications:

Manufacturer:	Kewanee
Model:	H3S-400-GO
Max. Hourly Combustion Rate:	15.9x10 ³ SCF/hr
Fuel:	Natural Gas
Secondary Fuel:	None

Stack Design Specifications:

Height:	24 Feet
Exit Diameter:	2.0 Feet
Exit Gas Flow Rate:	Unknown
Exit Temperature:	400°F

2. Boiler No.2 – Natural gas fired with a maximum rated capacity of 16.74MMBTU/hr. The boiler was constructed in 1975 and it is not a NSPS source.

Boiler Specifications:

Manufacturer:	Kewanee
Model:	H3S-400-GO
Max. Hourly Combustion Rate:	15.9x10 ³ SCF/hr
Fuel:	Natural Gas
Secondary Fuel:	None

Stack Design Specifications:

Height:	24 Feet
Exit Diameter:	2.0 Feet
Exit Gas Flow Rate:	Unknown
Exit Temperature:	400°F

3. Hot Oil Heater – Natural gas fired with a maximum rated capacity of 14.5MMBRU/hr. The heater was constructed in 2001.

Hot Oil Heater Specifications:

Manufacturer:	American
Model:	AHE-1200
Max. Hourly Combustion Rate:	13.8x10 ³ SCF/hr
Fuel:	Natural Gas
Secondary Fuel:	None

Stack Design Specifications:

Height:	24 Feet
Exit Diameter:	2.0 Feet
Exit Gas Flow Rate:	Unknown
Exit Temperature:	400°F

Storage Tanks

Tank No.1- Fixed roof tank with a rated capacity of 2,121,077 gallons. The tank was installed in 1991 and is a NSPS source. The tank is subject to 40 CFR 60 subpart Kb. The tank will not be regulated by the regulation due to the low true vapor pressure of asphalt cement except for § 60.116b, a & b.

TankNo.1 Specifications:

Material Handling:	Asphalt Cement
Tank Type:	Fixed Roof
Tank Capacity:	2,121,007gallons

Tank No.2- Fixed roof tank with a rated capacity of 1,070,821 gallons. The tank was installed in 1975 and is a NSPS source. The tank is subject to 40 CFR 60 subpart K.

TankNo.2 Specifications:

Material Handling:	Asphalt Cement
Tank Type:	Fixed Roof
Tank Capacity:	1,070,821gallons

Tank No.4, No.5, No.6, No.7, No.9, No.17 - Fixed roof tank with a rated capacity of 105,760 gallons. The tank was installed in 1975 and is a NSPS source. The tank is subject to 40 CFR 60 subpart K.

Tank No.4, No.5, No.6, No.7, No.9, No.17 Specifications:

Material Handling:	Asphalt Cement
Tank Type:	Fixed Roof
Tank Capacity:	105,760 gallons

Tank No.8- Fixed roof tank with a rated capacity of 50,000 gallons. The tank was installed in 1980 and is a NSPS source. The tank is subject to 40 CFR 60 subpart Kb. This tank will not be regulated by the requirements due to the low true vapor pressure of asphalt cutback except for § 60.116b, a & b.

TankNo.8 Specifications:

Material Handling:	Asphalt Cutback
Tank Type:	Fixed Roof
Tank Capacity:	50,000 gallons

Tank No.10- Fixed roof tank with a rated capacity of 13,514 gallons. The tank was installed in 1985 and is a NSPS source. The tank is subject to 40 CFR 60 subpart Kb. This tank will not be regulated by the requirements due to the low true vapor pressure of asphalt cutback except for § 60.116b, a & b.

TankNo.8 Specifications:

Material Handling:	Naphtha
Tank Type:	Fixed Roof
Tank Capacity:	13,514 gallons

Tank No.12 - Fixed roof tank with a rated capacity of 49,384 gallons. The tank was installed in 1975 and is a NSPS source. The tank is subject to 40 CFR 60 subpart K.

Tank No.12 Specifications:

Material Handling:	Asphalt Cutback
Tank Type:	Fixed Roof
Tank Capacity:	49,384 gallons

Tank No.13 - Fixed roof tank with a rated capacity of 105,760 gallons. The tank was installed in 1975 and is a NSPS source. The tank is subject to 40 CFR 60 subpart K.

Tank No.13 Specifications:

Material Handling:	Asphalt Cutback
Tank Type:	Fixed Roof

Tank Capacity: 105,760 gallons

Tank No.14 - Fixed roof tank with a rated capacity of 49,384 gallons. The tank was installed in 1975 and is a NSPS source. The tank is subject to 40 CFR 60 subpart K.

Tank No.14 Specifications:

Material Handling: Naphtha
Tank Type: Fixed Roof
Tank Capacity: 49,384 gallons

Tank No.15 - Fixed roof tank with a rated capacity of 49,384 gallons. The tank was installed in 1975 and is a NSPS source. The tank is subject to 40 CFR 60 subpart K.

Tank No.15 Specifications:

Material Handling: Asphalt Cement
Tank Type: Fixed Roof
Tank Capacity: 49,384 gallons

Tank No.16 - Fixed roof tank with a rated capacity of 79,384 gallons. The tank was installed in 1975 and is a NSPS source. The tank is subject to 40 CFR 60 subpart K.

Tank No.16 Specifications:

Material Handling: Asphalt Cutback
Tank Type: Fixed Roof
Tank Capacity: 79,384 gallons

Tank No.18, No.20, No.22, No.23, and No.24 - Fixed roof tank with a rated capacity of 49,384 gallons. The tank was installed in 1975 and is a NSPS source. The tank is subject to 40 CFR 60 subpart K.

Tank No.18, No.20, No.22, No.23, and No.24 Specifications:

Material Handling: Asphalt Emulsion
Tank Type: Fixed Roof
Tank Capacity: 49,384 gallons

Tank No.19 - Fixed roof tank with a rated capacity of 38,074 gallons. The tank was installed in 1975 and is not a NSPS source.

Tank No.19 Specifications:

Material Handling: Asphalt Emulsion
Tank Type: Fixed Roof
Tank Capacity: 38,074 gallons

Tank No.21 - Fixed roof tank with a rated capacity of 67,686 gallons. The tank was installed in 1975 and is a NSPS source. The tank is subject to 40 CFR 60 subpart K.

Tank No.21 Specifications:

Material Handling: Asphalt Emulsion
Tank Type: Fixed Roof
Tank Capacity: 67,686 gallons

Tank No.25 - Fixed roof tank with a rated capacity of 59,261 gallons. The tank was installed in 1975 and is a NSPS source. The tank is subject to 40 CFR 60 subpart K.

Tank No.25 Specifications:

Material Handling: Asphalt Emulsion
Tank Type: Fixed Roof
Tank Capacity: 59,261 gallons

Tank No.26 and No.27 - Fixed roof tank with a rated capacity of 30,083 gallons. The tank was installed

in 1975 and is not a NSPS source.

Tank No.26 and No.27 Specifications:

Material Handling:	Asphalt Cement
Tank Type:	Fixed Roof
Tank Capacity:	30,083 gallons

Tank No.28 - Fixed roof tank with a rated capacity of 24,066 gallons. The tank was installed in 1975 and is not a NSPS source.

Tank No.28 Specifications:

Material Handling:	No.1 Fuel Oil
Tank Type:	Fixed Roof
Tank Capacity:	24,066 gallons

Tank No.29 - Fixed roof tank with a rated capacity of 21,328 gallons. The tank was installed in 1985 and is a NSPS source. The tank is subject to 40 CFR 60 subpart Kb. The tank will not be regulated by the requirements due to the low true vapor pressure of No.2 fuel oil except for § 60.116b, a & b.

Tank No.29 Specifications:

Material Handling:	No.2 Fuel Oil
Tank Type:	Fixed Roof
Tank Capacity:	21,328 gallons

Tank No.38 - Fixed roof tank with a rated capacity of 4,220,061 gallons. The tank was installed in 1995 and is a NSPS source. The tank is subject to 40 CFR 60 subpart Kb. The tank will not be regulated by the requirements due to the low true vapor pressure of asphalt cement except for § 60.116b, a & b.

Tank No.38 Specifications:

Material Handling:	Asphalt Cement
Tank Type:	Fixed Roof
Tank Capacity:	4,220,061 gallons

Tank No.39 - Fixed roof tank with a rated capacity of 12,000 gallons. The tank was installed in 1997 and is a NSPS source. The tank is subject to 40 CFR 60 subpart Kb. The tank will not be regulated by the requirements due to the low true vapor pressure of No.2 fuel oil except for 40 CFR 60.116b, a & b.

Tank No.39 Specifications:

Material Handling:	No.2 Diesel Oil
Tank Type:	Fixed Roof
Tank Capacity:	12,000 gallons

Tank No.46 - Fixed roof tank with a rated capacity of 6,000 gallons. The tank was installed in 2000 and is a not NSPS source.

Tank No.46 Specifications:

Material Handling:	Polyphosphoric Acid
Tank Type:	Fixed Roof
Tank Capacity:	6,000 gallons

Tank No.48 - Fixed roof tank with a rated capacity of 192,500 gallons. The tank was installed in 2000 and is a NSPS source. The tank is subject to 40 CFR 60 subpart Kb. The tank will not be regulated by the requirements due to the low true vapor pressure of asphalt cement except for § 60.116b, a & b.

Tank No.48 Specifications:

Material Handling:	Asphalt Cement
Tank Type:	Fixed Roof
Tank Capacity:	192,500 gallons

Tank No.49 - Fixed roof tank with a rated capacity of 1,322,000 gallons. The tank was installed in 2001 and is a NSPS source. The tank is subject to 40 CFR 60 subpart Kb. The tank will not be regulated by the requirements due to the low true vapor pressure of asphalt cement except for § 60.116b, a & b.

Tank No.49 Specifications:

Material Handling:	Asphalt Cement
Tank Type:	Fixed Roof
Tank Capacity:	1,322,000 gallons

Tank No.50 - Fixed roof tank with a rated capacity of 1,322,000 gallons. The tank was installed in 2001 and is a NSPS source. The tank is subject to 40 CFR 60 subpart Kb. The tank will not be regulated by the requirements due to the low true vapor pressure of asphalt cement except for § 60.116b, a & b.

Tank No.50 Specifications:

Material Handling:	Asphalt Cement
Tank Type:	Fixed Roof
Tank Capacity:	1,322,000 gallons

Tank No.51 - Fixed roof tank with a rated capacity of 58,100 gallons. The tank was installed in 2001 and is a NSPS source. The tank is subject to 40 CFR 60 subpart Kb. The tank will not be regulated by the requirements due to the low true vapor pressure of asphalt cement except for § 60.116b, a & b.

Tank No.51 Specifications:

Material Handling:	Asphalt Cement
Tank Type:	Fixed Roof
Tank Capacity:	58,100 gallons

Loading Racks

Loading Rack No.1 and No.2 – Asphalt Cement loading arm. These racks were installed in 1975.

Loading Rack Specifications

Material Handling:	Asphalt Cement
Type of Loading:	Over head loading – splash fill, normal service
Total Annual Throughput:	50,000,000 gallons

Loading Rack No.3 – Asphalt Cutback loading arm. This rack was installed in 1975.

Loading Rack Specifications

Material Handling:	Asphalt Cutback
Type of Loading:	Over head loading – splash fill, normal service
Total Annual Throughput:	15,000,000 gallons

Loading Rack No.4 and No.5 – Asphalt Emulsion loading arm. These racks were installed in 1975.

Loading Rack Specifications

Material Handling:	Asphalt Emulsion
Type of Loading:	Over head loading – splash fill, normal service
Total Annual Throughput:	50,000,000 gallons

Minor Source:

Waste Oil Burner

Manufacturer:	Clean Burn
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Model:
Maximum Capacity:

CB-85-C
300,000 BTU/hr

Fugitive Sources:

1. Pumps, valves, and fittings.
2. Paved and Unpaved Roads.