



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Dirk Kempthorne, Governor
Toni Hardesty, Director

November 4, 2005

Certified Mail No.7005 1160 0000 1550 0023

Craig Gibson, President
American Paving Company
P.O. Box 395
Meridian, Idaho 83860

RE: Facility ID No. 001-00205, American Paving Company, Meridian
Final Permit Letter

Dear Mr. Gibson:

The Idaho Department of Environmental Quality (DEQ) is issuing Permit to Construct (PTC) Number P-050027 for the American Paving Company (American Paving), 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 May 17, 2005. This permit is effective immediately and modifies and replaces your previous permit, PTC No. P-040016, issued December 20, 2004. This permit does not release American Paving from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances.

A representative of the Boise Regional Office will contact you regarding a meeting with DEQ to discuss the permit terms and requirements. DEQ recommends the following representatives attend the meeting: your facility's plant manager, responsible official, environmental contact, and any operations 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 call Bill Rogers at (208) 373-0502 to address any questions or concerns you may have with the enclosed permit.

Sincerely,

Martin Bauer, Administrator
Air Quality Division

MB/AC/sd

Permit No. P-050027

Enclosures



**Air Quality
PERMIT TO CONSTRUCT**

**State of Idaho
Department of Environmental
Quality**

PERMIT No.: P-050027

FACILITY ID No.: 001-00205

AQCR: 64

CLASS: SM

SIC: 2951

ZONE: 11

UTM COORDINATES (km): E: 558.935, N: 4,815.750

1. PERMITTEE

American Paving Company

2. PROJECT

Permit to Construct Modification – Used oil as burner fuel

3. MAILING ADDRESS

P.O. Box 395

CITY

Meridian

STATE

ID

ZIP

83860

4. FACILITY CONTACT

Terry Lutz

TITLE

Vice President

TELEPHONE

(208) 888-7988

5. RESPONSIBLE OFFICIAL

Craig Gibson

TITLE

President

TELEPHONE

(208) 888-7988

6. EXACT PLANT LOCATION

Permanent Location – 7070 Ten Mile Creek Rd, Meridian, Idaho

COUNTY

Ada

7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS

Hot-mix asphalt production

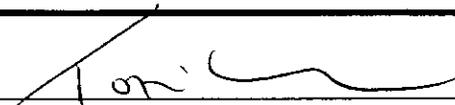
8. GENERAL CONDITIONS

This permit is issued according to IDAPA 58.01.01.200, *Rules for the Control of Air Pollution in Idaho*, and 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.

This permit (a) does not affect the title of the premises upon which the equipment is to be located; (b) does not release the permittee from any liability for any loss due to damage to person or property caused by, resulting from, or arising out of the design, installation, maintenance, or operation of the proposed equipment; (c) does not release the permittee from compliance with other applicable federal, state, tribal, or local laws, regulations, or ordinances; (d) in no manner implies or suggests that the Department of Environmental Quality (DEQ) or its officers, agents, or employees, assume any liability, directly or indirectly, for any loss due to damage to person or property caused by, resulting from, or arising out of design, installation, maintenance, or operation of the proposed equipment.

This permit will expire if construction has not begun within five 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 of design or equipment may require DEQ approval pursuant to the *Rules for the Control of Air Pollution in Idaho*, IDAPA 58.01.01.200, et seq.



**TONI HARDESTY, DIRECTOR
DEPARTMENT OF ENVIRONMENTAL QUALITY**

DATE ISSUED: November 4, 2005

Table of Contents

ACRONMYS, UNITS, AND CHEMICAL NOMENCLATURE.....	3
1. PERMIT TO CONSTRUCT SCOPE	4
2. PERMANENT LOCATION REQUIREMENTS.....	5
3. APPENDIX – HOT-MIX ASPHALT PLANT EMISSIONS LIMITS.....	13
4. PERMIT TO CONSTRUCT GENERAL PROVISIONS	14

Acronyms, Units, and Chemical Nomenclature

AQCR	Air Quality Control Region
ASTM	American Society for Testing and Materials
BMP	Best Management Practice(s)
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)
gr/dscf	grains per dry standard cubic foot
HMA	hot mix asphalt
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
lb/hr	pound per hour
NSPS	New Source Performance Standards
O&M	operations and maintenance
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
T/day	tons per day
T/hr	tons per hour
T/yr	tons per any consecutive 12-month period
UTM	Universal Transverse Mercator

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee:	American Paving Co.	Facility ID No. 001-00205	Date Issued:	November 4, 2005
Location:	Meridian, Idaho			

1. PERMIT TO CONSTRUCT SCOPE

Purpose

- This permit to construct (PTC) allows for the use of used oil as burner fuel.
- This PTC replaces PTC No. P-040016, issued December 20, 2004, the terms and conditions of which shall no longer apply.
- This HMA is permitted as a permanent stationary source. Portable source relocation to any other location is not allowed unless the PTC is modified to reflect the new location and operating conditions, per the permittee's PTC application and the regulatory analysis upon which this permit is based.

Regulated Sources

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

Table 1.1 REGULATED EMISSIONS SOURCES

Permit Section	Source Description	Emissions Control(s)
2, 3	Cat/CMI/PVM 2000, Model PVM 2000 HMA Plant	Wet Venturi Scrubber

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee:	American Paving Co.	Facility ID No. 001-00205	Date Issued:	November 4, 2005
Location:	Meridian, Idaho			

2. PERMANENT LOCATION REQUIREMENTS

The permittee shall comply with the following conditions when the HMA facility is operated at the permitted location within the state of Idaho.

Emissions Limits

2.1 Asphalt Dryer Emission Limits

- In accordance with 40 CFR 60.92, PM emissions from the HMA dryer stack shall not exceed 0.04 gr/dscf.
- PM₁₀, CO, and dioxins and furans emissions from the HMA dryer stack shall not exceed any corresponding emission rate limit listed in the appendix of this permit.

2.2 Other Particulate Matter Emission Limits

Gases from systems for screening, handling, storing, and weighing hot aggregate that emanate from a stack, vent, or other functionally equivalent opening shall not contain PM emissions in excess of 0.04 gr/dscf, nor exhibit 20% or greater opacity, as required by 40 CFR 60.92.

2.3 Opacity Limit

Emissions emanating 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 in IDAPA 58.01.01.625, *Rules for the Control of Air Pollution in Idaho*. Opacity shall be determined using the procedures contained in IDAPA 58.01.01.625.

Operating Requirements

2.4 Reasonable Control of Fugitive Emissions

All reasonable precautions shall be taken to prevent PM from becoming airborne as required in IDAPA 58.01.01.651. In determining what is reasonable, considerations 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 PM. 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, 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.

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee: American Paving Co.	Facility ID No. 001-00205	Date Issued: November 4, 2005
Location: Meridian, Idaho		

- Paving of roadways and their maintenance in a clean condition, where practical.
- Prompt removal of earth or other stored material from streets, where practical.

2.5 Fugitive Dust Best Management Practice

The American Paving Company shall use Best Management Practices (BMP's), as defined by IDAPA 58.01.01.011.01, to control the emissions of fugitive dust. The American Paving Company shall control the fugitive emissions at each site of operations for the duration of operations at each site.

2.5.1 Vehicle Track-out BMP's

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

- Visible deposition of mud, dirt, or similar debris onto 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 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 to control fugitive dust emissions from track-out onto paved public roadways include, but are not limited to:

- 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.
- 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.

2.5.2 Unpaved Haul Roads BMP's

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.

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee: American Paving Co.	Facility ID No. 001-00205	Date Issued: November 4, 2005
Location: Meridian, Idaho		

- 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 to the control fugitive dust emissions from unpaved haul roads include, but are not limited to:

- 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 route which clearly indicate the speed limit. Signs shall be placed so they are visible 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 by DEQ.

2.5.3 Transfer points, screening operations, and stacks and vents BMP's

Triggers that require initiation of a strategy or strategies to control fugitive dust emissions from transfer points, belts conveyors, bucket elevators, screening operations, conveying systems, capture systems, and building vents at NSPS regulated processing plants include but not limited to:

- Opacity greater than 10% from any transfer point on a belt conveyor or conveying system.
- For any transfer point on a belt conveyor, conveyor system, bucket elevator, or screening operation located within a building, opacity greater than 7% from any building vent.
- Opacity greater than 7% from any capture system stack.
- Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated for merit by the permittee. 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 to control fugitive dust emissions for transfer points, belt conveyors, bucket elevators, screening operations, conveying systems, capture systems, and building vents include, but are not limited to:

- Limit drop heights of materials such that a homogeneous flow of material is maintained.
- Install, operate, and maintain water spray bars to control fugitive dust emissions at transfer points on belt conveyors, conveyor systems, bucket elevators, and screening operations as necessary.

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee:	American Paving Co.	Facility ID No. 001-00205	Date Issued:	November 4, 2005
Location:	Meridian, Idaho			

- Other control strategy or strategies as approved by DEQ.

Strategies for the control of fugitive emissions from any crusher, grinding mill, building vent, or capture system stack that shall be applied on frequency such that visible fugitive emissions do not exceed any applicable opacity limit.

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

2.5.4 Stockpiles BMP's

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

- Limit the height of the stockpiles
- Limit the disturbance of the stockpile
- Apply water onto the surface of the stockpile
- Other control strategy or strategies as approved by DEQ.

2.6 Dryer Hourly and Annual Production Limits

- The HMA production rate of the drum dryer shall be limited to 300 T/hr on a continuous basis.
- The HMA production rate of the drum dryer shall be limited to 210,240 T/yr on a consecutive 12-month basis.

2.7 Dryer Burner Fuel Limits

The burner fuel shall be limited to distillate fuel oil (ASTM Grade 1 fuel oil, ASTM Grade 2 fuel oil), or used oil. Any used oil burned for energy recovery shall meet the specifications in Permit Condition 2.8

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee:	American Paving Co.	Facility ID No. 001-00205	Date Issued:	November 4, 2005
Location:	Meridian, Idaho			

2.8 Used Oil Specifications

In accordance with 40 CFR 279.11, with the exception of total halogens which are limited to 1,000 ppm, any used oil burned for energy recovery shall not exceed any of the allowable levels of the constituents and property listed in Table 2.1.

Table 2.1 USED OIL SPECIFICATIONS¹

Constituent/property	Allowable level
Arsenic	5 ppm ² maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash point	100 deg. F minimum
Total halogens	1,000 ppm maximum

¹ The specification does not apply to mixtures of used oil and hazardous waste that continue to be regulated as hazardous waste (see 40 CFR 279.10(b)).

² parts per million

2.9 Fuel Oil and Used Oil Sulfur Content Limits

- The sulfur content of the ASTM Grade 1 fuel oil supplied to the dryer burner shall not exceed 0.3% by weight as required by IDAPA 58.01.01.728.
- The sulfur content of the ASTM Grade 2 fuel oil supplied to the dryer burner shall not exceed 0.5% by weight as required by IDAPA 58.01.01.728.
- The sulfur content of the used oil supplied to the dryer burner shall not exceed 0.5% by weight.

2.10 Wet Venturi Scrubber Monitoring Equipment

The permittee shall, in accordance with manufacturer specifications, install, calibrate, maintain, and operate equipment to continuously measure the pressure differential across the wet scrubber and the scrubbing-media flow rate to the wet scrubber.

2.11 Wet Venturi Scrubber Operations and Maintenance Manual

Within 60 days of permit issuance, the permittee shall have developed an O&M manual for the wet venturi scrubber, which describes the procedures that will be followed to comply with General Provision 2 and the wet venturi scrubber requirements contained in this permit. The manual shall remain onsite at all times and be made available to DEQ representatives upon request. Within 60 days after permit issuance the permittee shall submit a copy of the O&M manual to DEQ.

- The contents of the O&M manual shall be based on manufacturer's information to the extent practical. When the manufacturer's information is not used, this should be explained in the manual.
- List the manufacturer's recommended pressure drop range and scrubbing media flow rate range for effective air pollutant emissions control for the wet venturi scrubber.
- An inspection checklist which lists items that will be inspected when the wet venturi scrubber is taken out of operation and physically inspected (e.g., condition of water spray nozzles, condition of seals, scrubbing media flow meter, etc.). The O&M manual shall describe how often the control

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee:	American Paving Co.	Facility ID No. 001-00205	Date Issued:	November 4, 2005
Location:	Meridian, Idaho			

equipment inspections are projected to occur. Results of the inspections shall be documented in a log and maintained on-site.

2.12 Wet Venturi Scrubber Pressure Drop

The pressure drop across the wet venturi scrubber shall be maintained within manufacturer and O&M manual specifications.

2.13 Wet Venturi Scrubber Flow Rate

The scrubbing media flow rate shall be maintained within manufacturer and O&M manual specifications.

2.14 Collocation Requirements

Collocation and operation with any other permanently located or portable HMA plant is prohibited.

Monitoring and Recordkeeping Requirements

2.15 Operating Parameters

The following parameters shall be monitored and recorded. Records of this information shall be kept onsite for the most recent two-year period and shall be made available to DEQ representatives upon request:

- Pressure drop across the wet venturi scrubber at least once on a daily basis while HMA is being produced
- The scrubbing-media flow rate once on a daily basis while HMA is being produced
- HMA production in tons per day and tons per month
- HMA production in tons per consecutive 12-month period.

2.16 Fuel Oil Sulfur Content Limits Monitoring

The permittee shall demonstrate compliance with the fuel oil sulfur content limits specified in Permit Condition 2.9 by obtaining documentation of the sulfur content analysis for each shipment of distillate fuel oil (ASTM Grade 1 fuel oil, ASTM Grade 2 fuel oil), and used oil on an as-received basis. Records of each fuel oil and used oil sulfur content analysis shall remain onsite for the most recent two-year period and shall be made available to DEQ representatives upon request.

2.17 Used Oil Certification

The permittee shall demonstrate compliance with Permit Condition 2.8 by obtaining a used oil certification from the used oil supplier on an as-received basis. The certification shall include the following information:

- The name and address of the used oil supplier
- The measured concentration, expressed as ppm, of each constituent listed in Table 2.1

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee:	American Paving Co.	Facility ID No. 001-00205	Date Issued:	November 4, 2005
Location:	Meridian, Idaho			

- The flash point of the used oil expressed as degrees Fahrenheit
- The analytical method or methods used to determine the concentration of each constituent and property (flash point) listed in Table 2.1
- The date and location of each sample
- The date of each certification analysis

Records of each certification shall remain on site for the most recent two-year period and shall be made available to DEQ representatives upon request.

2.18 Reasonable Control Measures

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.

2.19 Performance Testing Requirements

Within 60 days after achieving the maximum production rate at which the source will operate, but not later than 180 days after startup, the permittee shall conduct a performance test to measure opacity and particulate matter emissions from the hot mix asphalt plant using the methods and procedures specified in IDAPA 58.01.01.157 to demonstrate compliance with the PM, PM₁₀, and opacity requirements of Permit Conditions 2.1 and 2.3. Opacity shall be determined using procedures contained in IDAPA 58.01.01.625.04.

The performance test shall be conducted in accordance with IDAPA 58.01.01.157, General Provision 6, and the following conditions:

- The hourly production rate shall be within 90% of the permitted hourly production rate
- The permittee shall monitor the production rate or throughput rate of the affected facility(ies) during the test
- The permittee shall monitor the pressure drop across the wet venturi scrubber in inches of water during testing on the wet venturi scrubber stack
- The permittee shall monitor the scrubbing media flow rate in gallons per minute during testing on the wet venturi scrubber stack.

The permittee shall conduct performance tests at a frequency of no less than once every five years to demonstrate compliance with Permit Conditions 2.1 and 2.3.

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee:	American Paving Co.	Facility ID No. 001-00205	Date Issued:	November 4, 2005
Location:	Meridian, Idaho			

2.20 Opacity and Visible Emissions Testing

The permittee shall conduct a visible emissions evaluation on the HMA facility stack within 15 days of startup and during each performance test required in Permit Condition 2.19, in accordance with the procedures in IDAPA 58.01.01.625. Records of each visible emissions evaluation shall be kept onsite and made available to DEQ representatives upon request.

Reporting Requirements

2.21 Performance Test Protocol

At least 30 days prior to conducting any emission test, the permittee is encouraged to submit a written performance test protocol to DEQ in accordance with IDAPA 58.01.01.157.01.a.

2.22 Performance Test Report

In accordance with IDAPA 58.01.01.157.04, the permittee shall submit a written report of the performance test results to DEQ within 30 days of completion of the test.

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee:	American Paving Co.	Facility ID No. 001-00205	Date Issued:	November 4, 2005
Location:	Meridian, Idaho			

3. APPENDIX – HOT-MIX ASPHALT PLANT EMISSIONS LIMITS

American Paving Co.
7070 Ten Mile Creek Rd.
Meridian, ID 83860

Table 3.1 EMISSIONS LIMITS*

Source Description	PM ₁₀		CO	Cadmium	Formaldehyde	Nickel	Dioxins and Furans (combined)	
	lb/hr	T/yr	T/yr	lb/hr	lb/hr	lb/hr	lb/hr	lb/yr
Dryer stack outlet	10.88	3.81	13.67	1.26E-05	0.93	3.9E-03	9.00E-07	6.31E-04

* As determined by a pollutant-specific EPA reference method, DEQ-approved alternative, or as determined by DEQ's emission estimation methods used in the permit application analysis.

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee:	American Paving Co.	Facility ID No. 001-00205	Date Issued:	November 4, 2005
Location:	Meridian, Idaho			

4. PERMIT TO CONSTRUCT GENERAL PROVISIONS

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., and the permittee is subject to penalties for each day of noncompliance.

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.

3. The permittee shall allow the Director, and/or the authorized representative(s), upon the presentation of credentials:
 - To enter, at reasonable times, upon the premises where an emissions source is located, or in which any records are required to be kept under the terms and conditions of this permit.
 - At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit, to inspect any monitoring methods required in this permit, and require stack emissions testing in conformance with IDAPA 58.01.01.157 when deemed appropriate by the Director.

4. Nothing in this permit is intended to relieve or exempt the permittee from compliance with any applicable federal, state, or local law or regulation, except as specifically provided herein.

5. The permittee shall notify DEQ, in writing, of the required information for the following events within five working days after occurrence:
 - Initiation of Construction - Date
 - Completion/Cessation of Construction - Date
 - Actual Production Startup - Date
 - Initial Date of Achieving Maximum Production Rate - Production Rate and Date

6. If compliance testing is specified, the permittee must schedule and perform such testing within 60 days after achieving the maximum production rate, and not later than 180 days after initial startup. This requirement shall be construed as an ongoing requirement. The permittee shall not operate the source without testing within 180 days. If testing is not conducted within 180 days after initial startup, then each day of operation thereafter without the required source test constitutes a violation. Such testing must **strictly** adhere to the procedures outlined in IDAPA 58.01.01.157 and shall not be conducted on weekends or state holidays without prior written approval from DEQ. Testing procedures and specific time limitations may be modified by DEQ by prior negotiation if conditions warrant adjustment. DEQ shall be notified at least 15 days prior to the scheduled compliance test. Any records or data generated as a result of such compliance test shall be made available to DEQ upon request.

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-050027

Permittee:	American Paving Co.	Facility ID No. 001-00205	Date Issued:	November 4, 2005
Location:	Meridian, Idaho			

7. 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.

8. In accordance with IDAPA 58.01.01.123, 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.