STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

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

November 24, 2009

Pamp Maiers
Central Washington Asphalt, Inc.
P.O. Box 939
Moses Lake, WA 98837

RE: Facility ID No. 777-00438, Central Washington Asphalt, Portable
Final Permit Letter

Dear Mr. Maiers:

The Department of Environmental Quality (DEQ) is issuing Permit to Construct (PTC) No. P-2008.0119 to Central Washington Asphalt for a portable asphalt plant 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 13, 2009. This permit is effective immediately and does not release Central Washington Asphalt 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 Coeur d'Alene Regional Office, 2110 Ironwood Parkway, Fax (208) 769-1404.

In order to fully understand the compliance requirements of this permit, DEQ highly recommends that you schedule a meeting with Almer Casile, Air Quality Analyst, at (208) 769-1422 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 Dan Pitman at (208) 373-0502 or daniel.pitman@deq.idaho.gov to address any questions or concerns you may have with the enclosed permit.

Printed on Recycled Paper

Sincerely,

Mike Simon
Stationary Source Program Manager
Air Quality Division

MS\dp Project No. P-2008.0119

Enclosures

Air Quality
PERMIT TO CONSTRUCT
State of Idaho
Department of Environmental Quality

PERMIT No.: P-2008.0119
FACILITY ID No.: 777-00438
AQCR: 62 **CLASS:** SM **ZONE:** 11
SIC: 2951 **NAICS:** 324121
UTM COORDINATE (km): 515, 5295

1. **PERMITTEE** Central Washington Asphalt, Inc.

2. **PROJECT** Portable Hot Mix Asphalt Plant

3. **MAILING ADDRESS**	**CITY**	**STATE**	**ZIP**
P. O. Box 939	Moses Lake	WA	98837
4. **FACILITY CONTACT**	**TITLE**	**TELEPHONE**	
Gary Needler	Not Known	509-765-5757	
5. **RESPONSIBLE OFFICIAL**	**TITLE**	**TELEPHONE**	
Pamp Maiers	Not Known	509-765-5757	
6. **EXACT PLANT LOCATION**		**COUNTY**	
Coeur d' Alene Paving, Inc. – 3989 E. Highway 54, Athol, Idaho		Kootenai (Initial Location)	

7. **GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS**
Portable Hot Mix Asphalt Plant

8. **PERMIT AUTHORITY**

This permit is issued according to the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.200 through 228, 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 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.

Dan Pitman

DAN PITMAN, P.E., PERMIT WRITER
DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE MODIFIED/REVISED:	
DATE ISSUED:	November 24, 2009

MIKE SIMON, STATIONARY SOURCE PROGRAM MANAGER
DEPARTMENT OF ENVIRONMENTAL QUALITY

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Acronyms, Units, and Chemical Nomenclature

AFS	AIRS Facility Subsystem
AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
Btu	British thermal units
CFR	Code of Federal Regulations
DEQ	Department of Environmental Quality
dscf	dry standard cubic feet
EPA	U.S. Environmental Protection Agency
gr	grain (1 lb = 7,000 grains)
HAP	hazardous air pollutants
hp	horsepower
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometers
lb/hr	pounds per hour
MMBtu	million British thermal units
NAICS	North American Industry Classification System
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
PTE	potential to emit
SIC	Standard Industrial Classification
SM	synthetic minor
T/yr	tons per year
UTM	Universal Transverse Mercator

1. PERMIT TO CONSTRUCT SCOPE

Purpose

1.1 This is the initial permit to construct (PTC) for a portable hot-mix asphalt (HMA) plant. Aggregate is heated and combined with liquid asphalt in a drum dryer, then conveyed to silo storage and loaded into trucks for offsite shipment. Electrical loads will be served by two electrical generator sets.

Regulated Sources

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

Table 1.1 SUMMARY OF REGULATED SOURCES

Permit Section	Source Description	Emissions Control
2	Hot Mix Asphalt Dryer Manufacturer: Gencor Model: 400 Portable Ultra Maximum production: 450 T/hr Fuel: 0.5% sulfur distillate fuel oil	Baghouse
2	Asphalt Tank Heater (1) Fuel: 0.5% sulfur distillate fuel oil	None
2	Asphalt Storage Tank (1) 30,000-gallon capacity	None
2	Scalping Screen	Reasonable Control
2	Materials transfer points Aggregate dump to ground, Aggregate dump to conveyor, Aggregate conveyor to elevated storage	Reasonable Control
2	Electrical Generator Sets Caterpillar 700 kW, 0.5% sulfur distillate fuel oil Onan 125.kW, 0.5% sulfur distillate fuel oil	None

2. HOT-MIX ASPHALT PLANT

2.1 Process Description

This portable HMA plant consists of aggregate storage and handling, a drum mix dryer, a heated asphalt oil storage tank, and HMA conveyors, storage silos and truck loadout.

Stockpiled aggregate is transferred to the hot mix asphalt plant. Aggregate travels through the rotating drum dryer, and when dried the aggregate is mixed with liquid asphalt cement. The resulting HMA is then conveyed to hot storage bins or silos until it can be loaded into trucks for transport off site.

2.2 Emissions Control Description

The particulate matter (PM) and particulate matter with an aerodynamic diameter less than or equal to ten microns (PM_{10}) emissions from the HMA plant are controlled by a baghouse system. Table 2.1 below describes the control devices or control measures associated with the HMA plant.

Table 2.1 CONTROL DESCRIPTIONS OF THE HMA PLANT

Emissions Unit / Process	Emissions Control Device	Emissions Point
Asphalt Oil Storage Tank- 30,000-gallon capacity	None	Tank and Asphalt Heater Stack
Hot Mix Asphalt Dryer	Baghouse	Baghouse Stack
Asphalt Tank Heater	None	Tank and Asphalt Heater Stack
Materials transfer (fugitives)	Reasonable Control	Fugitives

Emissions Limits

2.3 Emissions Limits HMA Dryer

PM_{10} emissions from the HMA Dryer stack shall not exceed 2.10 E -3 pounds of per ton of asphalt produced, as determined by a test method prescribed by IDAPA 58.01.01.157 or DEQ approved alternative.

2.4 Opacity Limit (IDAPA)

Emissions from any stack, vent, or other functionally equivalent shall not exceed
period or periods aggregating more than three minutes in any 60-minute period as
58.01.01.625. Opacity shall be determined by the procedures contained in IDAPA

↑ 15/hr gives max. Easier Compliance

2.5 NSPS 40 CFR 60, Subpart I - Standards for Particulate Matter

In accordance with 40 CFR 60.92, no owner or operator shall discharge or cause th
into the atmosphere from any HMA facility any gases which:

- Contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf);
- Exhibit 20 percent opacity, or greater.

Operating Requirements

2.6 Production and Setback Distance Limits

- The asphalt plant shall not produce more than 3,925 tons per calendar day. Recycled asphalt may be used at a rate of up to 30% of the total production.
- The asphalt plant shall not produce more than 300,000 tons per any consecutive 12-month period. Recycled asphalt may be used at a rate of up to 30% of the total production.
- The minimum distance in any direction from the location of the hot mix asphalt plant stack to the property boundary shall be greater than or equal to 410 feet.

2.7 Reasonable Control of Fugitive Emissions

All reasonable precautions shall be taken to prevent particulate matter from becoming airborne in accordance with IDAPA 58.01.01.650-651 and IDAPA 58.01.01.808. 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 PM. Some of the reasonable precautions include, but are not limited to, the following:

- Good operating practices, including water spraying or other suitable measures, shall be employed to prevent dust generation and atmospheric entrainment during operations such as stockpiling, screen changing and general maintenance.
- 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.

2.8 Permitted Fuels

The HMA Dryer and asphalt tank heater shall combust only distillate fuel oil.

2.9 Fuel Sulfur Content

The facility shall not use any distillate fuel oil containing more than the following percentages of sulfur in accordance with IDAPA 58.01.01.725-728:

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

2.10 Odors

The permittee shall not allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids into the atmosphere in such quantities as to cause air pollution in accordance with IDAPA 58.01.01.776.01.

2.11 Baghouse System Control Equipment

The permittee shall install and operate a baghouse to control PM and PM_{10} from the HMA Dryer and to ensure compliance with particulate matter emission limits.

2.12 Baghouse System Procedures

Within 60 days of initial start-up, the permittee shall have developed a Baghouse/Filter System Procedures document for the inspection and operation of the baghouses/filter system which controls emissions from the dryer. The Baghouse/Filter System Procedures document shall be a permittee developed document independent of the manufacturer supplied operating manual but may include summaries of procedures included in the manufacturer supplied operating manual.

The Baghouse/Filter System Procedures document shall at a minimum:

- Require the permittee to install, calibrate, maintain, and operate equipment to continuously measure the pressure differential across the baghouse.
- Establish minimum and maximum pressure drop operating ranges in inches of water. The pressure drop operating ranges shall be based on manufacturer requirements.
- Corrective action procedures that will be followed if pressure drop is outside of the established pressure drop operating range.
- Require at least weekly pressure drop monitoring and recordkeeping.

The Permittee shall maintain records of monitoring results in accordance with General Provision 7.

The Baghouse/Filter System Procedures document shall be submitted to DEQ within 60 days of permit issuance and shall contain a certification by a responsible official. Any changes to the Baghouse/Filter System Procedures document shall be submitted within 15 days of the change.

The Baghouse/Filter System Procedures document and manufacturer supplied operating manual shall also remain on site at all times and shall be made available to DEQ representatives upon request.

The operating and monitoring requirements specified in the Baghouse/Filter System Procedures document are incorporated by reference to this permit and are enforceable permit conditions.

2.13 Generator Hours of Operation

The permittee shall comply with the hours of operation limitations for the Caterpillar and Onan electrical generator sets given in Table 2.2.

Table 2.2 Generator Hours of Operation Limits

Generator Set	Hours of Operation per Calendar Day	Hours of Operation per any Consecutive 12-month Period.
Caterpillar (700kW)	12	4,000
Onan (125 kW)	12	2,000

Monitoring Requirements

2.14 Visible Emissions/Opacity Monitoring

Each day the permittee shall conduct a site-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, to demonstrate compliance with opacity standards. The 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. All records shall be maintained on-site for a period of 5 years and shall be made available to DEQ representatives upon request.

2.15 Fugitive Dust Monitoring

Each day the permittee shall conduct a site-wide inspection of potential sources of fugitive emissions, during daylight hours and under normal operating conditions to ensure fugitive emissions are reasonably controlled. 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.

2.16 Production Monitoring

The permittee shall monitor and record:

- The tons of asphalt produced and the amount of RAP used on a calendar day basis; and
- Each calendar month, the tons of asphalt produced and the amount of RAP used during previous consecutive 12-calendar month period.

2.17 Setback Monitoring

The permittee shall measure and record the minimum setback distance to demonstrate compliance with the setback:

- Before initial startup of any emissions source listed in Table 1.1;
- Each time the source is relocated.

Information recorded shall include, but not be limited to, a brief description of the nearest distance to any area where the general public has access, the minimum setback distance in meters or feet to an accuracy of plus or minus 6 feet, and a description of the method used to measure distance.

2.18 Fuel Sulfur Content Monitoring

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

2.19 Odor Complaints

The permittee shall maintain records of all odor complaints received to demonstrate compliance with IDAPA 58.01.01.776.01. The permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date 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.

2.20 Generator Hours of Operation

The permittee shall monitor and record:

- The hours of operation of each generator engine on a calendar day basis; and
- Each calendar month the hours of operation of each generator during previous consecutive 12-calendar month period.

Performance Testing Requirements

2.21 Periodic Performance Testing

Performance testing on the HMA aggregate dryer baghouse stack shall be performed no less than once every five years.

The performance test shall measure the PM stack gas concentration in grains per dry standard cubic feet, the PM_{10} emission rate (including condensable emissions) in pounds per ton of asphalt produced, and the opacity.

The performance test shall be conducted under worst-case normal operating conditions and in accordance with IDAPA 58.01.01.157 and General Provision 6 of this permit. The permittee is encouraged to submit a performance testing protocol for approval 30 days prior to conducting the performance tests.

2.22 Performance Test Monitoring and Recordkeeping

The permittee shall monitor and record the following during each performance test:

- The HMA production rate, in tons per hour, once every 15 minutes;
- The percentage of RAP used (if any); and

- The type of fuel combusted in the HMA Dryer; and
- Fuel oil sulfur content (i.e., percent by weight)
- The visible emissions observed during the performance test.

2.23 Fugitive Dust Plan

Within 60 days of permit issuance Central Washington Asphalt shall have developed and submitted to the Coeur d'Alene DEQ Regional Office a Fugitive Dust Control Plan for the hot mix asphalt plant. This plan shall include the following information:

- Identify and list all areas of operations where fugitive dust may be generated (i.e., haul roads, vehicle traffic areas, storage piles, transfer points, etc.)
- For each fugitive dust source listed, identify and describe the type of control methods and procedures to be used to control fugitive emissions (i.e., application of water or chemical dust suppressants, covering open trucks transporting dusty material, paving of roadways, etc.).

The plan shall include a log to record when each fugitive dust source is controlled and the type of control used. A sample copy of the log shall be submitted to DEQ with the Fugitive Dust Control Plan for DEQ approval. A copy of the Fugitive Dust Control Plan shall also be maintained on-site and made available to Department representatives upon request.

Previous Fugitive Dust Plans submitted to DEQ to satisfy Consent Order Requirements will suffice to satisfy this permit condition provided DEQ has approved the plan.

Reporting Requirements

2.24 Performance Test Reporting

Performance test reports shall include records of the monitoring required by this permit during the test, and documentation that the performance test was conducted under worst-case normal operating conditions and in accordance with IDAPA 58.01.01.157. Performance test reports shall be submitted by the permittee to the following address:

Air Quality Permit Compliance
Coeur d' Alene Regional Office
Department of Environmental Quality
2110 Ironwood Parkway
Coeur d' Alene, ID 83814

Phone: (208) 769-1422
Fax: (208) 769-1404

2.25 Relocation

At least 10 days prior to relocation of any equipment listed in Table 1.1, 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 or fax number:

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

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

The scaled plot plan shall show the location of any emissions source listed in Table 1.1, and any area outside of a building where the general public has access, including property boundaries.

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

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

2.26 NSPS 40 CFR 60, Subpart A - General Provisions

The permittee shall comply with the applicable requirements of 40 CFR 60, Subpart A – General Provisions in accordance with 40 CFR 60.1. A summary of requirements for affected facilities is provided in Table 2.3.

Table 2.3 NSPS 40 CFR 60, SUBPART A – GENERAL PROVISIONS

Section	Section Title	Summary of Section Requirements
60.4	Address	• All notifications and reports shall be submitted to: Coeur d' Alene Regional Office Department of Environmental Quality 2110 Ironwood Parkway Coeur d' Alene, ID 83814
60.7(a),(b),(c), (d) and (f)	Notification and Record Keeping	• Notification shall be furnished of commencement of construction postmarked no later than 30 days of such date. • Notification shall be furnished of initial startup postmarked within 15 days of such date. • Notification shall be furnished of any physical or operational change that may increase emissions postmarked 60 days before the change is made. • Records shall be maintained of the occurrence and duration of any startup, shutdown or malfunction; any malfunction of the air pollution control equipment; or any periods during which a CMS or monitoring device is inoperative. • Records shall be maintained, in a permanent form suitable for inspection, of all measurements, performance testing measurements, calibration checks, adjustments and maintenance performed, and other required information. Records shall be maintained for a period of two years following the date of such measurements, maintenance, reports, and records.
60.8	Performance Tests	• At least 30 days prior notice of any performance test shall be provided to afford the opportunity to have an observer to be present. • Within 60 days of achieving the maximum production rate, but not later 180 days after initial startup, performance test(s) shall be conducted and a written report of the results of such test(s) furnished. • Performance testing facilities shall be provided as follows: Sampling ports adequate for test methods applicable to such facility. Safe sampling platform(s). Safe access to sampling platform(s). Utilities for sampling and testing equipment. • Performance tests shall be conducted and data reduced in accordance with 40 CFR 60.8(b), (c), and (f).
60.11(a), (d), (f), and (g)	Compliance with Standards and Maintenance Requirements	• When performance tests are required, compliance with standards is determined by methods and procedures established by 40 CFR 60.8. • At all times, including periods of startup, shutdown, and malfunction, the owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. • For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.
60.12	Circumvention	• No permittee shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard.
60.14	Modification	• A physical or operational change which results in an increase in the emission rate to the atmosphere or any pollutant to which a standard applies shall be considered a modification, and upon modification an existing facility shall become an affected facility in accordance with the requirements and exemptions in 40 CFR 60.14. • Within 180 days of the completion of any physical or operational change, compliance with all applicable standards must be achieved.
60.15	Reconstruction	An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate in accordance with the requirements of 40 CFR 60.15.

Nonattainment Areas

2.27 PM_{10} Nonattainment Area Operations

The permittee shall not operate in any $PM_{2.5}$ or PM_{10} nonattainment area.

Contact DEQ for current nonattainment area status and more specific details about the nonattainment area boundaries.

Co-location

2.28 Co-located Operations

The emission sources listed in Table 1.1 may not co-locate with any other operating emissions sources. Emissions sources are considered to be co-located if they are operating within 1,000 feet (305 meters) of each other.

Incorporation by Reference

2.29 Incorporation of Federal Requirements by Reference

Unless expressly provided otherwise, any reference in this permit to any document identified in IDAPA 58.01.01.107.03 shall constitute the full incorporation into this permit of that document for the purposes of the reference, including any notes and appendices therein. Documents include, but are not limited to Standards of Performance for New Stationary Sources (NSPS), 40 CFR Part 60.

For permit conditions referencing or cited in accordance with any document incorporated by reference (including permit conditions identified as NSPS or NESHAP), should there be any conflict between the requirements of the permit condition and the requirements of the document, the requirements of the document shall govern, including any amendments to that regulation.

3. 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;

   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]

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)]