



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

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

C.L. "Butch" Otter, Governor  
Curt Fransen, Director

June 26, 2012

Nicholas Seubert, President  
Valley Paving & Asphalt, Inc.  
604 King Street  
Cottonwood, ID 83522

RE: Facility ID No. 777-00105, Valley Paving & Asphalt, Inc., Portable  
Corrected Permit Transmittal Letter

Dear Mr. Seubert:

Enclosed is a corrected version of Permit to Construct P-2010.0158, Project 61037, issued June 15, 2012, and the accompanying Statement of Basis, which contained typographical errors. Please replace the copies we recently mailed you with these corrected ones.

Sincerely,

A handwritten signature in black ink that reads "Mike Simon". The signature is written in a cursive, flowing style.

Mike Simon  
Stationary Source Program Manager  
Air Quality Division

MS/CZ

Enclosure

Permit No. P-2010.0158 Project 61037

## Air Quality

### PERMIT TO CONSTRUCT

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**Permittee** Valley Paving & Asphalt, Inc.

**Permit Number** P-2010.0158

**Project ID** 61037

**Facility ID** 777-00105

**Facility Location** Portable

#### **Permit Authority**

This permit (a) is issued according to the *Rules for the Control of Air Pollution in Idaho (Rules)*, IDAPA 58.01.01.200-228; (b) 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; (c) has been granted on the basis of design information presented with its application; (d) does not affect the title of the premises upon which the equipment is to be located; (e) 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; (f) does not release the permittee from compliance with other applicable federal, state, tribal, or local laws, regulations, or ordinances; (g) 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. Changes in design, equipment or operations may be considered a modification subject to DEQ review in accordance with IDAPA 58.01.01.200-228.

**Date Issued** June 15, 2012

  
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**Carole Zundel, Permit Writer**

  
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**Mike Simon, Stationary Source Manager**

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# 1. PERMIT SCOPE

## **Purpose**

- 1.1 This is a revised permit to construct a hot mix asphalt plant.
- 1.2 Those permit conditions that have been modified or revised by this permitting action are identified by the permit issue date citation located directly under the permit condition and on the right hand margin.
- 1.3 This PTC replaces Permit to Construct No. P-2010.0158, issued on March 11, 2011.

## **Regulated Sources**

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

[6/15/2012]

**Table 1.1 REGULATED SOURCES**

Source	Control Equipment
<u>Hot Mix Asphalt Plant – Counter Flow Drum Dryer</u> Manufacturer: Hauck Manufacturing Model: SJ580 Maximum Production: 450 T/hr, 1,418,383 T/yr (permitted in 2002) Fuel Types: Natural gas, propane, #2 diesel fuel oil, reprocessed fuel oil Maximum Heat Input: 96.8 MMBtu/hr Sulfur Content: 0.5%	Baghouse
<u>Asphalt Tank Heater (1)</u> Fuel Type: Electric	None
<u>Fugitive Emissions</u>	Reasonable Control
<u>450 kW Generator Set</u> Engine Manufacturer: Caterpillar Engine Model: D348 Manufactured Year: May 27, 1994 Fuel Type: #2 diesel fuel oil Rated Power: 603 bhp (engine) Consumption Rate: 31.75 gal/hr	None

## 2. HOT MIX ASPHALT PLANT AND DIESEL GENERATOR

### 2.1 Process Description

The following modifications requested include reconfiguring the plant from parallel flow to counter flow, replacing the scrubber with a baghouse, and increasing RAP processing from 20% to 50%. Plant configuration and setup can vary somewhat from one location to another to accommodate different sites (e.g. access roads, quarry floor topography, and stockpile locations)

First, crushed virgin aggregate is placed in the aggregate bins by a loader. The bins are equipped with variably controlled feed conveyors that are linked to the operator control center. The operator can control the percentages of fine and coarse aggregate to mix the material to a design gradation. The aggregate is conveyed to a screen that separates out any oversize material that may have been accidentally placed in aggregate bins by the loader. The crushed aggregate is then conveyed into the counter flow drum dryer near the location of the burner. When RAP (Reclaimed Asphalt Pavement) is used, it is also placed into feeder bins that are variably controlled by the operator. Similar to the crushed aggregate, the RAP passes through a screen to ensure no oversized material will contaminate the final HMA product. The RAP then enters the drum dryer through a RAP collar positioned near the mid-section of the drum.

The drum is considered counter flow because the aggregate flow in the drum is opposite or counterflows to the direction of the exhaust gases. The dryer burns either Reprocessed Fuel Oil (RFO which is also commonly referred to as used oil) or #2 Diesel Fuel to dry and heat the aggregate to approximately 325°F. RAP enters the drum from a different location than the crushed aggregate due to the presence of asphalt oil in the material. The RAP is heated and then mixed with the crushed aggregate. The crushed aggregate including the RAP is mixed with liquid asphalt oil supplied by an electric heated asphalt storage tank. The introduction of the asphalt oil is measured by a variable controlled flow pump that is electronically linked to the control system's computer. The mixture then exits the drum into a drag conveyor that conveys the freshly produced HMA to a storage silo from which trucks are loaded.

The quantity of each process material (crushed aggregate, asphalt oil, and RAP) depends on the product being produced and the characteristics of the new material used to make the HMA product. Generally, a mix design is developed for the materials at each site to optimize the HMA product. The design process tells the operator how much of each material to mix to make a good performing mixture with the correct gradation and appropriate asphalt oil content. RAP, when available, is utilized for its asphalt and aggregate content. When an operator utilizes RAP it allows for less asphalt oil in the mixture which results in a cost savings as the asphalt oil is generally the most expensive portion of the HMA material. Emissions from the dryer enter a MAXAM Equipment Inc. Portable Size 32 baghouse, with 99.9% control efficiency, and then exhausts to the atmosphere. During normal operation, a 603 HP diesel generator is utilized to supply electricity to the plant's electric motors, tank heaters, pumps, conveyors, etc.

[6/15/2012]

### 2.2 Control Device Descriptions

The particulate matter (PM) and particulate matter with an aerodynamic diameter less than or equal to ten microns (PM<sub>10</sub>) emissions from the HMA plant are controlled by a baghouse. Table 3.1 below describes the control devices or control measures associated with the HMA plant.

[6/15/2012]

Table 3.1 Hot Mix Asphalt Plant Description

Emissions Units / Processes	Control Devices	Emission Points
Hot Mix Asphalt Drum Dryer	Baghouse Good combustion control Use of permitted fuels	Baghouse
Materials Transfer	Reasonable Control	Fugitives

## **Emission Limits**

### **2.3 Opacity Limit**

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

### **2.4 40 CFR 60, Subpart I, Standard for Particulate Matter**

The permittee shall comply with the applicable requirements of 40 CFR 60, Subpart I – Standards of Performance for Hot Mix Asphalt Facilities.

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

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

### **2.5 Odors**

No person shall 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.

[3/11/2011]

## **Operating Requirements**

### **2.6 Asphalt Production Limits**

The production rate of asphalt shall not exceed any of the following limits:

- 8,710 tons per day (T/day) when located in any attainment or unclassified area.
- 1,418,383 tons per any consecutive 12-calendar month period (T/yr) when located in any attainment or unclassified area.
- RAP may be used at a daily average rate of up to 50% of the total production.

[6/15/2012]

### **2.7 Permitted Fuels**

The HMA drum dryer shall only combust natural gas, propane, distillate fuel No. 2, or RFO as fuel.

[3/11/2011]

### **2.8 Fuel Sulfur Content**

No person shall sell, distribute, use, or make available for use any distillate fuel oil containing more than the following percentages of sulfur in accordance with IDAPA 58.01.01.725-728:

- ASTM Grade 1 fuel oil - 0.3% by weight.
- ASTM Grade 2 fuel oil - 0.5% by weight.
- The permittee shall not use any RFO containing more than 0.5% sulfur by weight.

[3/11/2011]

### **2.9 40 CFR 279, Subpart b, Used Oil Specifications**

In accordance with 40 CFR 279.11, with the exception of total halogens which are limited to 1,000 ppm, used oil burned for energy recovery shall not exceed any of the allowable levels of the constituents and property listed in Table 3.2. In addition, used oil shall not contain quantifiable levels (2 ppm) of polychlorinated biphenyls (PCB).

**Table 3.2 USED OIL SPECIFICATIONS<sup>a</sup>**

Constituent/property	Allowable level
Arsenic	5 ppm 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
PCBs <sup>b</sup>	< 2 ppm

- a. 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)).
- b. Applicable standards for the burning of used oil containing PCB are imposed by 40 CFR 761.20(e).

[3/11/2011]

## 2.10 Reasonable Control of Fugitives 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.

## 2.11 Baghouse

The permittee shall install and operate a baghouse to control PM and PM<sub>10</sub> emissions from the HMA drum dryer.

[6/15/2012]

## 2.12 Baghouse Procedures

Within 60 days of initial start-up, the permittee shall have developed a Baghouse Procedures document for the inspection and operation of the baghouse which controls emissions from the HMA drum dryer. The Baghouse 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 Procedures document shall describe the procedures that will be followed to comply with General Provision 3.2 and shall contain requirements for monthly see-no-see visible emissions

inspections of the baghouse. The inspection shall occur during daylight hours and under normal operating conditions.

The Baghouse Procedures document shall also include a schedule and procedures for corrective action that will be taken if visible emissions are present from the baghouse at any time. At a minimum the document shall include:

- Procedures to determine if bags or cartridges are ruptured; and
- Procedures to determine if bags or cartridges are not appropriately secured in place.

The Permittee shall maintain records of the results of each baghouse/filter system inspections in accordance with General Provision 3.7. The records shall include , but not be limited to, the following:

- Date and time of inspection;
- Equipment inspected (e.g. exterior housing of baghouse, fan motor, auger, inlet air ducting);
- Description of whether visible emissions were present, and if visible emissions were present a description of the corrective action that was taken.
- Date corrective action was taken.

The Baghouse Procedures document shall also remain on site at all times and shall be made available to DEQ representatives upon request.

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

[6/15/2012]

## ***Monitoring and Recordkeeping Requirements***

### **2.13 Visible Emissions/Opacity Monitoring**

Each month the permittee shall conduct a facility 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 the opacity limit permit condition. Opacity shall be determined within 15 days of startup after relocation. 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 in accordance with the Monitoring and Recordkeeping requirements of the General Provisions.

[3/11/2011]

**2.14 Fugitive Dust Monitoring**

Each day the permittee shall conduct a facility 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.

[3/11/2011]

**2.15 Asphalt Production Monitoring**

The permittee shall monitor and record asphalt production and RAP usage in tons per day and tons per month to demonstrate compliance with the asphalt production limits permit condition. Annual asphalt production, including RAP usage, shall be determined by summing monthly asphalt production and RAP usage over each previous consecutive 12-month period.

[3/11/2011]

**2.16 Used Oil Certification**

The permittee shall demonstrate compliance with the used oil specifications Permit Condition by obtaining a used oil certification from the used oil fuel supplier on an as-received basis for each shipment or by having the fuel analyzed by a qualified laboratory. 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 the used oil specifications Table;
- 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 the used oil specifications Table;
- The date and location of each sample; and
- The date of each certification analysis.

[3/11/2011]

**2.17 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.

[3/11/2011]

**2.18 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.

[3/11/2011]

***Performance Testing Requirements***

**2.19 Periodic PM Performance Testing**

Performance testing on the asphalt dryer baghouse stack shall be performed no less than once every five years following the date the last performance test for the dryer is conducted.

The performance test shall measure the PM emission rate grains per dry standard cubic feet and the opacity to demonstrate compliance with the emissions limit and opacity permit conditions.

The performance test shall be conducted under worst-case normal operating conditions and in accordance with 40 CFR 60.93, 60.8, 60.11; and the Performance Test General Provision of this permit. The permittee is encouraged to submit a performance testing protocol for approval 30 days prior to conducting the performance tests.

The permittee shall conduct a PM performance test on or before August 12, 2016.

[6/15/2012]

## **2.20 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;
- The recycled asphalt pavement usage in tons per hour;
- The type of fuel combusted in the HMA Dryer; and
- The visible emissions observed during the performance test.

[3/11/2011]

## **2.21 NSPS 40 CFR 60, Subpart I, Performance Test Methods**

In accordance with 40 CFR 60.93(b) and 60.11(b), the permittee shall determine compliance with the particulate matter standard permit condition as follows:

- EPA Reference Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).
- EPA Reference Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.

In accordance with 40 CFR 60.93(a), in conducting performance tests, the permittee shall use as reference methods and procedures the test methods in 40 CFR 60 Appendix A.

In accordance with 40 CFR 60.11(e), for the purpose of demonstrating compliance, opacity observations shall be conducted concurrently with the performance test.

## **2.22 PM Performance Test Methods and Procedures**

The permittee shall use EPA Methods 5 in accordance with Subsection 157.02.d to determine compliance with the particulate matter standard permit condition in accordance with IDAPA 58.01.01.700.04.

The permittee shall use EPA Method 9 to determine compliance with the opacity matter standard permit condition in accordance with IDAPA 58.01.01.625.04.

[3/11/2011]

## **Reporting Requirements**

### **2.23 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  
Lewiston Regional Office  
Department of Environmental Quality  
1118 "F" Street  
Lewiston, ID 83501

Phone: (208) 799-4370  
 Fax: (208) 799-3451

[3/11/2011]

**2.24 Relocation**

At least 10 days prior to relocation of any equipment listed in Table 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, 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.

The permittee shall not locate the diesel generator at any one location in Idaho for more than 12-consecutive months.

The permittee shall maintain records of operation of the generator when it operates at each location. The records shall be maintained in accordance with the Monitoring and Recordkeeping requirements of the General Provisions.

[3/11/2011]

**2.25 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 4.

**Table 4 NSPS 40 CFR 60, Subpart A – Summary of General Provisions**

Section	Subject	Summary of Section Requirements			
60.4	Address(es)	<p>All requests, reports, applications, submittals, and other communications associated with 40 CFR 60, Subpart I and III shall be submitted to:</p> <p style="padding-left: 40px;">Department of Environmental Quality            Lewiston Regional Office            1118 "F" Street            Lewiston, ID 83501</p> <p>All requests, reports, applications, submittals, and other communications associated with 40 CFR 60, Subpart A shall be submitted to:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> <p style="padding-left: 40px;">Director Air and Waste                EPA Region X                1200 Sixth Avenue                OAQ-107                Seattle, WA 98101</p> </td> <td style="width: 10%; border: none; text-align: center; vertical-align: middle;">and</td> <td style="width: 40%; border: none; vertical-align: top;"> <p style="padding-left: 40px;">Department of Environmental Quality                Lewiston Regional Office                1118 "F" Street                Lewiston, ID 83501</p> </td> </tr> </table>	<p style="padding-left: 40px;">Director Air and Waste                EPA Region X                1200 Sixth Avenue                OAQ-107                Seattle, WA 98101</p>	and	<p style="padding-left: 40px;">Department of Environmental Quality                Lewiston Regional Office                1118 "F" Street                Lewiston, ID 83501</p>
<p style="padding-left: 40px;">Director Air and Waste                EPA Region X                1200 Sixth Avenue                OAQ-107                Seattle, WA 98101</p>	and	<p style="padding-left: 40px;">Department of Environmental Quality                Lewiston Regional Office                1118 "F" Street                Lewiston, ID 83501</p>			
60.7(a), (b), and (f)	Notification and Recordkeeping	<ul style="list-style-type: none"> <li>• Notification shall be furnished of commencement of construction postmarked no later than 30 days of such date.</li> <li>• Notification shall be furnished of initial startup postmarked within 15 days of such date.</li> <li>• Notification shall be furnished of any physical or operational change that may increase emissions postmarked 60 days before the change is made.</li> <li>• 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.</li> <li>• Records shall be maintained, in a permanent form suitable for inspection, of all measurements, performance testing</li> </ul>			

Section	Subject	Summary of Section Requirements
		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	<ul style="list-style-type: none"> <li>At least 30 days prior notice of any performance test shall be provided to afford the opportunity to have an observer to be present.</li> <li>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.</li> <li>Performance testing facilities shall be provided as follows: <ul style="list-style-type: none"> <li>Sampling ports adequate for test methods applicable to such facility.</li> <li>Safe sampling platform(s).</li> <li>Safe access to sampling platform(s).</li> <li>Utilities for sampling and testing equipment.</li> </ul> </li> <li>Performance tests shall be conducted and data reduced in accordance with 40 CFR 60.8(b), (c), and (f).</li> </ul>
60.11(a), (d), (f), and (g)	Compliance with Standards and Maintenance Requirements	<ul style="list-style-type: none"> <li>When performance tests are required, compliance with standards is determined by methods and procedures established by 40 CFR 60.8.</li> <li>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.</li> <li>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.</li> </ul>
60.11(b), (c), and (e)	Compliance with Standards and Maintenance Requirements (Opacity)	<ul style="list-style-type: none"> <li>Compliance with opacity standards shall be determined by Method 9 in Appendix A of 40 CFR 60. The permittee may elect to use COM measurements in lieu of Method 9, provided notification is made at least 30 days before the performance test.</li> <li>The opacity standards shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided.</li> <li>Opacity observations shall be conducted concurrently with the initial performance test required in 40 CFR 60.8 in accordance with the requirements and exceptions in 40 CFR 60.11(e).</li> </ul>
60.12	Circumvention	<ul style="list-style-type: none"> <li>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.</li> </ul>
60.14	Modification	<ul style="list-style-type: none"> <li>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.</li> <li>Within 180 days of the completion of any physical or operational change, compliance with all applicable standards must be achieved.</li> </ul>
60.15	Reconstruction	<ul style="list-style-type: none"> <li>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.</li> </ul>

[3/11/2011]

## 2.26 Non-Attainment Areas

The permittee shall not relocate and operate any equipment listed in Table 1 in any PM<sub>2.5</sub> or PM<sub>10</sub> nonattainment area.

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

[3/11/2011]

## 2.27 Attainment or Unclassifiable Area Requirements When Not Collocated

The permittee shall comply with the requirements in Permit Conditions 2.1 through 2.25 and the following permit conditions when the HMA facility is operated in any attainment or unclassifiable areas, and when it is not collocated, within the state of Idaho.

- The production rate of the HMA facility shall not exceed a maximum of 1,418,383 T/yr when located in any attainment or unclassifiable area.

- When the HMA facility is to be collocated with another portable HMA plant, rock crushing plant, or concrete batch plant, the collocation requirements of Permit Condition 2.28 must be met.
- The generator shall not be operated more than 3,152 hr/yr when located in any attainment or unclassifiable area.

[9/17/2002]

**2.28 Attainment or Unclassifiable Area Requirements When Collocated**

The permittee shall comply with the requirements Permit Conditions 2.1 through 2.26 and the following permit conditions when the HMA facility is to be collocated with another portable HMA, rock crushing plant, or concrete batch plant within the state of Idaho.

- The HMA facility may collocate in attainment or unclassifiable areas only. The permittee shall not collocate in nonattainment area, or proposed nonattainment area, without obtaining a permit that specifically allows for collocation in a nonattainment area.
- The HMA facility may only collocate with either one portable rock crushing plant, one portable concrete batch plant, or one other portable HMA plant that has been permitted to specifically allow collocation.
- The production rate of the HMA facility shall not exceed a maximum of 8,710 T/day. In addition, the production rate of the HMA facility shall not exceed a maximum of 709,192 T/yr when collocated with another HMA plant, concrete batch plant, or rock crushing plant.
- The generator shall not be operated more than 1,576 hr/yr when collocated with another HMA plant, concrete batch plant, or rock crushing plant.

[9/17/2002]

**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, Subparts I

For permit conditions referencing or cited in accordance with any document incorporated by reference (including permit conditions identified as NSPS, MACT 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.

[3/11/2011]

### 3. GENERAL PROVISIONS

#### **General Compliance**

- 3.1 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.]

- 3.2 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]

- 3.3 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**

- 3.4 Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:

- 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;
- Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
- 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**

- 3.5 This permit shall expire if construction has not begun within two years of its issue date, or if construction is suspended for one year.

[IDAPA 58.01.01.211.02, 5/1/94]

- 3.6 The permittee shall furnish DEQ written notifications as follows:

- A notification of the date of initiation of construction, within five working days after occurrence; except in the case where pre-permit construction approval has been granted then notification shall be made within five working days after occurrence or within five working days after permit issuance whichever is later;
- A notification of the date of any suspension of construction, if such suspension lasts for one year or more;

- 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; and
- A notification of the actual date of initial start-up of the stationary source or facility within fifteen days after such date; and
- A notification of the initial date of achieving the maximum production rate, within five working days after occurrence - production rate and date.

[IDAPA 58.01.01.211.03, 5/1/94]

### ***Performance Testing***

- 3.7 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.
- 3.8 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.
- 3.9 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***

- 3.10 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***

- 3.11 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**

- 3.12 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**

- 3.13 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**

- 3.14 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**

- 3.15 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**

- 3.16 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 58.01.01.211, 5/1/94]