STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

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

October 15, 2009

Chris Seubert, President
Valley Paving & Asphalt, Inc.,
P.O. Box 308
Cottonwood, ID 83522

RE: Facility ID No. 777-00086, Valley Paving & Asphalt, Inc., Portable (Current Location: McCall)
Final Permit Letter

Dear Mr. Seubert:

The Department of Environmental Quality (DEQ) is issuing Permit to Construct (PTC) No. P-2009.0118 to Valley Paving & Asphalt, Inc. for the revision of the Odor Management Plan Permit Condition and the Performance Testing Requirements Permit Condition, 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 September 9, 2009, and supplemental information provided on September 24, 2009. This permit is effective immediately and replaces PTC No. P-060024, issued on August 4, 2008, the terms and conditions of which no longer apply. This permit does not release Valley Paving & Asphalt, Inc. from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances.

In order to fully understand the compliance requirements of this permit, DEQ highly recommends that you schedule a meeting with Thomas Krinke, Air Quality Compliance Officer, at (208) 373-0419 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 Mary Capiral at (208) 373-0502 or Mary.Capiral@deq.idaho.gov to address any questions or concerns you may have with the enclosed permit.

Sincerely,

Mike Simon
Stationary Source Program Manager
Air Quality Division

MS\MC
Enclosures

Project No. P-2009.0118

Printed on Recycled Paper

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

**PERMIT No.:** P-2009.0118
**FACILITY ID No.:** 777-00086
**AQCR:** Portable **CLASS:** SM **ZONE:** Portable
**SIC:** 2951 **NAICS:** 324121
**UTM COORDINATE (km):** Portable

1. **PERMITTEE**
Valley Paving & Asphalt, Inc.

2. **PROJECT**
Permit to Construct Modification- Revision of the Odor Management Plan Permit Condition and the Performance Testing Requirements Permit Condition

| 3. **MAILING ADDRESS** | **CITY** | **STATE** | **ZIP** |
|---|---|---|---|
| P.O. Box 57 | Cottonwood | ID | 83522 |

| 4. **FACILITY CONTACT** | **TITLE** | **TELEPHONE** |
|---|---|---|
| Thomas Riener | Vice President | (208) 962-3314 |
| Christopher Seubert | President | (208) 634-2540 |

| 5. **RESPONSIBLE OFFICIAL** | **TITLE** | **TELEPHONE** |
|---|---|---|
| Christopher Seubert | President | (208) 634-2540 |

| 6. **EXACT PLANT LOCATION** | **COUNTY** |
|---|---|
| Portable (Current Location: McCall) | |

7. **GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS**
Production of 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.

Mary Capiral

**MARY CAPIRAL, PERMIT WRITER**
**DEPARTMENT OF ENVIRONMENTAL QUALITY**

| | |
|---|---|
| **DATE MODIFIED/REVISED:** | October 15, 2009 |
| **DATE ISSUED:** | June 10, 1993 |

**MIKE SIMON, STATIONARY SOURCE PROGRAM MANAGER**
**DEPARTMENT OF ENVIRONMENTAL QUALITY**

MS/MC/hp

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# Acronyms, Units, and Chemical Nomenclature

| | |
|---|---|
| AIRS | Aerometric Information Retrieval System |
| AQCR | Air Quality Control Region |
| ASTM | American Society for Testing and Materials |
| Btu | British thermal units |
| CAA | Clean Air Act |
| CFR | Code of Federal Regulations |
| CO | carbon monoxide |
| DEQ | Department of Environmental Quality |
| dscf | dry standard cubic feet |
| EPA | U.S. Environmental Protection Agency |
| gr | grain (1 lb = 7,000 grains) |
| IDAPA | a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act |
| km | kilometers |
| lb/hr | pounds per hour |
| m | meters |
| MMBtu | million British thermal units |
| NAICS | North American Industry Classification System |
| NESHAP | National Emission Standards for Hazardous Air Pollutants |
| $NO_2$ | nitrogen dioxide |
| $NO_X$ | nitrogen oxides |
| NSPS | New Source Performance Standards |
| PM | particulate matter |
| $PM_{10}$ | particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers |
| ppm | parts per million |
| PSD | Prevention of Significant Deterioration |
| PTC | permit to construct |
| PTE | potential to emit |
| scf | standard cubic feet |
| SIC | Standard Industrial Classification |
| SIP | State Implementation Plan |
| SM | synthetic minor |
| $SO_2$ | sulfur dioxide |
| $SO_x$ | sulfur oxides |
| T/yr | tons per year |
| TAP | toxic air pollutants |
| UTM | Universal Transverse Mercator |
| VOC | volatile organic compounds |

# 1. PERMIT TO CONSTRUCT SCOPE

## *Purpose*

**1.1** The purpose of this permit is to allow the following modifications:

- Change the Odors Management Plan Permit Condition in P-060024, issued August 4, 2008, to make the utilization of waste oil for burner fuel the trigger for the Odor Management Plan.
- Change the Performance Testing Requirements Permit Condition in P-060024, issued August 4, 2008, to eliminate the variable testing schedules and change the source test frequency to once every five years.

**1.2** Those permit conditions that have been modified or revised by this permitting action are identified by a date citation located directly under the permit condition and on the right hand margin.

**1.3** This PTC replaces Permit to Construct No. P-060024, issued on August 4, 2008, the terms and conditions of which shall no longer apply.

## *Regulated Sources*

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

**Table 1.1 REGULATED SOURCES**

| Permit Section | Source Description | Emissions Control |
|---|---|---|
| 2 | Portable Parallel Flow Drum-Mix Asphalt Plant<br>Mfr.: Aesco<br>Burner Model: Hauck SJ360 | Venturi Wet Scrubber<br>Mfr.: AESCO<br>Model: GB200 VWS |

## 2. HOT-MIX ASPHALT PLANT

### 2.0 Process Description

Aggregate, sand, and asphalt chips (also known as recycled asphalt product) are transferred to feed bins then conveyed to the 70 MMBtu/hr oil-fired drum mix dryer. Heated asphalt oil from a storage tank is then introduced at the middle of the drum unit and mixed with the aggregate. The resulting asphalt product is then transferred to a storage silo via an enclosed slat conveyor and held until it is later loaded into trucks and hauled offsite.

Electrical power for the plant is provided by the local electric utility.

### 2.1 Emissions Control Description

Particulate matter (PM) emissions from the hot-mix asphalt (HMA) drum dryer are controlled by a wet venturi scrubber.

## 3. STATEWIDE REQUIREMENTS

### 3.1 Drum Dryer Emission Limits

- PM emissions from the drum dryer stack shall not exceed 0.04 grains per dry standard cubic foot (gr/dscf), in accordance with 40 CFR 60.92.
- $PM_{10}$ emissions from the drum dryer stack shall not exceed 8.0 pounds per hour (lb/hr) and 3.73 tons per year (T/yr).

### 3.2 Visible Emissions

- **New Source Performance Standards – 40 CFR 60.92**

  Visible emissions from the HMA facility shall not exhibit 20% opacity or greater, in accordance with 40 CFR 60.92(a)(2). Opacity shall be determined using EPA method 9.

- **IDAPA 58.01.01.625**

  Visible emissions 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, in accordance with IDAPA 58.01.01.625. Opacity shall be determined using the procedures contained in IDAPA 58.01.01.625.

### 3.3 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.

### 3.3 Emissions Control Description

Particulate matter (PM) emissions from the hot-mix asphalt (HMA) drum dryer are controlled by a wet venturi scrubber.

## *Operating Requirements*

### 3.4 Reasonable Control of Fugitive Emissions

All reasonable precautions shall be taken to prevent PM from becoming airborne in accordance with IDAPA 58.01.01.650 and 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, where practical:

- Using water or chemicals for dust control in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of lands.
- Covering dirt roads, material stockpiles, and other surfaces which can create dust, or applying asphalt, water, or suitable chemicals to them.
- Installing and using hoods, fans, and fabric filters or equivalent systems to enclose and vent dusty materials. Adequate containment methods should be employed during sandblasting or other operations.
- Covering open-bodied trucks that transport materials likely to give rise to airborne dusts.
- Paving roadways and maintaining them in a clean condition.
- Promptly removing earth or other stored material from streets.

## 3.5 Permitted Fuels

The fuels used in the drum dryer shall be distillate fuel oil (American Society for Testing and Materials ASTM Grade 2 fuel oil) or used oil.

## 3.6 Used Oil Fuel Specifications

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

**Table 3.2 USED OIL SPECIFICATIONS[1]**

| Constituent/property | Allowable level |
|---|---|
| Arsenic | 5 ppm maximum |
| Cadmium | 2 ppm maximum |
| Chromium | 10 ppm maximum |
| Lead | 100 ppm maximum |
| Flash point | 100 degrees F minimum |
| Total halogens | 1,000 ppm maximum |
| PCBs[2] | < 2 ppm |

[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] Applicable standards for the burning of used oil containing PCBs are imposed by 40 CFR 761.20(e).

## 3.7 Fuel Oil and Used Oil Sulfur Content Limit

- As required by IDAPA 58.01.01.728, the sulfur content of the distillate oil supplied to the drum dryer shall not exceed 0.3% by weight if ASTM Grade 1 fuel oil is used, or 0.5% by weight if ASTM Grade 2 fuel oil is used.
- The sulfur content of the used oil supplied to the drum dryer shall not exceed 0.5% by weight.

## 3.8 Hot-Mix Asphalt Production Limits

- The production rate of the asphalt plant shall not exceed a maximum of 300 tons per hour of HMA.
- The production rate of the asphalt plant shall not exceed a maximum of 280,000 tons of HMA per any consecutive 12-month period.

## 3.9 Hot-Mix Asphalt Operating Hours

The maximum operating hours for the asphalt plant shall not exceed 1,400 hours per any consecutive 12-month period.

## 3.10 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 venturi scrubber and the scrubbing-media flow rate to the wet venturi scrubber.

### 3.11 Wet Venturi Scrubber Operations and Maintenance Manual

The permittee shall maintain an operations and maintenance (O&M) manual for the wet venturi scrubber, which describes the procedures that will be followed to comply with General Provision 2 of this permit, the manufacturer's specifications, and all other permit requirements for the wet venturi scrubber. The manual shall remain on site at all times and shall be made available to DEQ representatives upon request. Once developed, a copy of the manual shall be submitted for review and comment to DEQ's Boise Regional Office, and for review to DEQ's McCall Satellite Office at the following addresses:

Air Quality Permit Compliance
Department of Environmental Quality
Boise Regional Office
1445 N. Orchard McCall, ID 83638

Department of Environmental Quality
McCall Satellite Office
502 Third St., Ste. 9A
Boise, ID 83706

The O&M manual shall include, but not be limited to, the following:

- Be based on manufacturer's information to the extent practical. When the manufacturer's information is not used, other supporting information such as operating parameters measured during a successful performance test shall be included in the manual.
- List the manufacturer's recommended pressure drop operating range and scrubbing media flow rate range for effective PM emissions control for the wet venturi scrubber.
- Include an inspection checklist that lists the scrubber components 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.).
- Include the frequency that the physical inspections are to occur.
- Include a record of the results of each inspection and any corrective action taken in response to the results of the inspection.

### 3.12 Wet Venturi Scrubber Pressure Drop

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

### 3.13 Wet Venturi Scrubber Flow Rate

The scrubbing-media flow rate to the wet venturi scrubber shall be maintained within manufacturer and O&M manual specifications.

### 3.14 Wet Venturi Scrubber Operation

The wet venturi scrubber shall be operated at all times during the operation of the drum dryer.

### 3.15 Collocation Requirements

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

### 3.16 Odor Complaints

The permittee shall maintain records of all odor complaints received. 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.

### 3.17 Odor Management Plan

The permittee shall maintain an Odor Management Plan that describes the methods and procedures that will be used and followed when waste oil is used as fuel to comply with the Odors Permit Condition.

- The odor management plan shall include detailed information including, but not limited to, the use of odor control technology.
    - The permittee shall install or integrate odor control technology to control odors from the hot-mix asphalt plant, unless DEQ gives written approval for an alternative. Use of any odor control technology shall be consistent with the manufacturer's specifications and recommendations into the Odor Management Plan.
    - The permittee shall maintain a copy of the operating specifications and manufacturer recommendations for the odor control technology, and shall incorporate these operating specifications and recommendations into the Odor Management Plan.
- The Odor Management Plan shall include manufacturer recommendations and specifications for any odor control equipment used.
- The Odor Management Plan, including all additions and revisions thereto, shall remain on site at all times and shall be made available to DEQ representatives upon request.

Once developed, a copy of the Odor Management Plan shall be submitted for review and comment to DEQ's Boise Regional Office, and for review to DEQ's McCall Satellite Office at the following addresses:

Air Quality Permit Compliance
Department of Environmental Quality
Boise Regional Office
1445 N. Orchard
Boise, ID 83706

Department of Environmental Quality
McCall Satellite Office
502 Third St., Ste. 9A
McCall, ID 83638

**[October 15, 2009]**

## *Monitoring and Recordkeeping Requirements*

### 3.18 Operating Parameters

The following parameters shall be monitored and recorded based on the frequency indicated below. Records of this information shall remain on-site for the most recent five-year period and shall be made available to DEQ representatives upon request.

- Pressure drop across the wet venturi scrubber at least once per day while HMA is being produced.
- The scrubbing-media flow rate to the wet venturi scrubber at least once per day while HMA is being produced.
- HMA production in tons per day and tons per month.
- HMA production in tons per consecutive 12-month period.
- Operating hours of the HMA plant while HMA is being produced in hours per month and hours per year.

## 3.19 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 fugitive emissions 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. The monthly inspection is not required when the facility is not in operation. Records of each facility-wide fugitive emissions inspection shall remain on-site for the most recent five-year period and shall be made available to DEQ representatives upon request.

## 3.20 Performance Testing Requirements

Within 60 days after achieving the maximum production rate at which the hot-mix asphalt facility will operate, but not later than 180 days after initial startup, a performance test shall be conducted on the hot-mix drum dryer under worst-case normal operating conditions in accordance with IDAPA 58.01.01.157, General Provision 6 of this permit, and in accordance with 40 CFR 60.90, if the initial source test for an affected facility has not been conducted in accordance with that regulation. The performance test shall be conducted to demonstrate compliance with the applicable PM standards defined in 40 CFR 60.92 and the short-term $PM_{10}$ emissions rate limit listed in Drum Dryer Emissions Limit Permit Condition. The $PM/PM_{10}$ performance test must include condensable (Method 202). The following shall be monitored and recorded during the performance tests:

- the hourly asphalt production rate expressed as pounds per hour
- burner fuel type (i.e., distillate fuel oil or used oil)
- burner fuel flow rate (i.e., gallons per hour)
- fuel oil sulfur content (i.e., percent by weight)
- pressure drop across the wet venturi scrubber (i.e., inches of water)
- the water flow rate to the wet venturi scrubber (i.e., gallons per minute)
- the visible emissions observed during the performance tests

The permittee shall conduct performance tests at a frequency of no less than once every five years to demonstrate compliance with the 0.04 gr/dscf of PM emissions limit and the 20% opacity emissions limits of Visible Emissions Permit Condition.

**[October 15, 2009]**

## 3.21 Used Oil Fuel Certification

The permittee shall demonstrate compliance with the Used Oil Fuel Specification Permit Condition by obtaining a used oil fuel certification from the used oil fuel supplier for each delivery on an as-received basis 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
- the date of each certification analysis

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

### 3.22 Fuel Oil Sulfur Content Monitoring

The permittee shall maintain purchase records or equivalent from the supplier that show the sulfur content of the fuel oil delivered to the facility on an as-received basis. Records of this information shall remain on site for the most recent five-year period and shall be made available to DEQ representatives upon request.

## *Reporting Requirements*

### 3.23 Odor Complaints

The permittee shall submit semiannual reports to DEQ's Boise Regional Office by January 15 and July 15 of each year summarizing the occurrences or nonoccurrences of odor complaints and the corrective actions taken in response to the complaints.

### 3.24 Relocation

All existing portable equipment shall be registered. In accordance with IDAPA 58.01.01.500, the permittee shall submit to the following address a scaled plot plan and a completed Portable Equipment Registration and Relocation Form (PERF, available on the DEQ Web site at http://www.deq.idaho.gov/air/permits_forms/forms/forms.cfm) at least 10 days prior to relocation of any equipment covered by this permit:

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

## 4. OPERATIONS IN $PM_{10}$ NONATTAINMENT AREAS

Under this permit, the permittee shall not locate the portable HMA plant in any $PM_{10}$ nonattainment area. Contact DEQ for current nonattainment area status and more specific details about nonattainment area boundaries.

Prior to operation in any $PM_{10}$ nonattainment area, Valley Paving & Asphalt, Inc. shall submit an air quality permit to construct application that requests the ability to locate and operate the portable HMA plant within a $PM_{10}$ nonattainment area. The new PTC must be received prior to construction and operation in a nonattainment area.

## 5. 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)]**