



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

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

September 2, 2011

Clarence Davis, Environmental Manager
HK Contractors, Inc.
P.O. Box 51450
Idaho Falls, ID 83405

RE: Facility ID No. 777-00442, HK Contractors, Inc., Idaho Falls
Final Permit Letter

Dear Mr. Davis:

The Department of Environmental Quality (DEQ) is issuing Permit to Construct (PTC) No. P-2008.0153 Project 60879 to HK Contractors, Inc. located at Idaho Falls for the ability to remediate petroleum contaminated soil at the 140 Hot Plant. This PTC is issued in accordance with IDAPA 58.01.01.200 through 228 (Rules for the Control of Air Pollution in Idaho) and is based on the certified information provided in your PTC application received June 13, 2011.

This permit is effective immediately and replaces PTC No. P-2008.0153, issued on May 7, 2009. This permit does not release HK Contractors, Inc. from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances.

Pursuant to the Construction and Operation Notification General Provision of your permit, it is required that construction and operation notification be provided. Please provide this information as listed to DEQ's Idaho Falls Regional Office, 900 N. Skyline, Suite B, Idaho Falls, Idaho 83402, Fax (208) 528-2695.

In order to fully understand the compliance requirements of this permit, DEQ highly recommends that you schedule a meeting with Maria Miles, Air Quality Analyst, at (208) 528-2650 to review and discuss the terms and conditions of this permit. Should you choose to schedule this meeting, DEQ recommends that 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 Kelli Wetzel at (208) 373-0502 or kelli.wetzel@deq.idaho.gov to address any questions or concerns you may have with the enclosed permit.

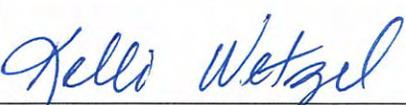
Sincerely,

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

Mike Simon
Stationary Source Program Manager
Air Quality Division

MS\KW

Permit No. P-2008.0153 PROJ 60879

<p style="text-align: center;">Air Quality PERMIT TO CONSTRUCT State of Idaho Department of Environmental Quality</p>	PERMIT NUMBER	CLASS	SIC
	P-2008.0153	SM	2951
	FACILITY ID	AQCR	NAICS
	777-00442	61	324121
	UTM ZONE	UTM COORDINATES (km)	
11	Portable	Portable	
PERMITTEE			
HK Contractors, Inc.			
PROJECT			
PROJECT No. 60879 Permit Modification for the ability to remediate petroleum contaminated soil			
MAILING ADDRESS	CITY	STATE	ZIP
P.O. Box 54150	Idaho Falls	ID	83405
FACILITY CONTACT	TITLE	TELEPHONE	
Larry Ritter	Asphalt Manager	(208) 317-8627	
RESPONSIBLE OFFICIAL	TITLE	TELEPHONE	
Clarence H. Davis	Environmental & Permits Manager	(208) 523-6600	
EXACT PLANT LOCATION		COUNTY	
1523 E. 49 th North Idaho Falls, Idaho		Bonneville	
GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS			
Production of hot mix asphalt			
PERMIT AUTHORITY			
<p>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.</p> <p>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.</p> <p>This permit will expire if construction has not begun within two years of its issue date or if construction is suspended for one year.</p> <p>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.</p>			
	DATE MODIFIED/REVISED	September 2, 2011	
	DATE ISSUED	May 7, 2009	
KELLI WETZEL, PERMIT WRITER			
			
	MIKE SIMON, STATIONARY SOURCE MANAGER		

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PERMIT TO CONSTRUCT SCOPE

Purpose

1. This is a modification of a permit to construct to allow petroleum contaminated soil to be remediated in the existing HMA plant.
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.
3. This PTC replaces Permit to Construct No. P-2008.0153, issued on May 7, 2009.
4. The emission sources regulated by this permit are listed in the following table.

Table 1 REGULATED SOURCES

Source Descriptions	Emission Controls
<u>Hot Mix Asphalt Drum Dryer:</u> Manufacturer: Astec, Inc. Model: RDB-9640 (parallel-flow drum mix) Burner Model: Phoenix Talon PT-100U-G-OH Manufacture Date: 2008 Max. production: 350 T/hr and 1,000,000 T/yr Fuel: natural gas, distillate fuel oil ASTM Grade 1 and Grade 2, reprocessed fuel oil Design Aggregate: Up to 50% RAP, may use petroleum-contaminated soil & aggregate Fuel consumption: 730 gal/hr	<u>Pulse Jet Baghouse</u> Manufacturer: Astec, Inc. Model: RBH-68 Type: Pulse Jet
<u>Asphalt Tank Heater</u> Fuel Types: Natural gas, Distillate fuel oil ASTM Grade 1 and Grade 2, reprocessed fuel oil Maximum Fuel Usage: 20.6 gal/hr	None
<u>Materials transfer points</u> (includes fugitives) Aggregate dump to ground, Aggregate dump to conveyor, Aggregate conveyor to elevated storage	Minimized drop heights, water sprays, or equivalent control methods

[September 2, 2011]

HOT MIX ASPHALT PLANT

Process Description

5. The processes include a HMA plant that consists of a drum mix dryer, an asphalt tank heater, a baghouse, two asphalt oil storage tanks, two fuel storage tanks, and materials transfer equipment. Materials transfer equipment may include front end loaders, storage bins, conveyors, stock piles, and haul trucks.

Stockpiled aggregate is transferred to feed bins. Aggregate may consist of up to 50% recycled asphalt pavement (RAP). Aggregate is dispensed from the bins onto feeder conveyors, which transfer the aggregate to the drum mix dryer. Aggregate travels through the drum-mix dryer and when dried is mixed with liquid asphalt cement. The resulting HMA is conveyed to hot storage bins until it can be loaded into trucks for transport off site or transferred to silos for temporary storage. Electrical power will be supplied to the plant from the local power grid.

The facility is also permitted to replace part of the design aggregate with petroleum contaminated soil. The petroleum contaminated soil is crushed, placed on a designated clay liner, and covered. The contaminated aggregate is then conveyed into the feed end of the drum mix dryer where the petroleum hydrocarbons are volatilized and partially destroyed by incineration prior to the addition of the hot asphalt cement to produce hot-mix asphalt. Heavier hydrocarbon fractions that are not volatilized are expected to be solidified or encapsulated in the asphalt/aggregate matrix.

[September 2, 2011]

6. Emission Controls Description

Table 2 HOT MIX ASPHALT DESCRIPTION

Emissions Units / Processes	Emission Control Devices	Emission Points
Hot Mix Asphalt Dryer	Baghouse	Hot Mix Asphalt Dryer Baghouse Control efficiency: 99.9% PM/PM ₁₀
Materials Transfer	Minimized drop heights, water sprays, or equivalent control methods	Aggregate dump to ground, sand dump to ground, aggregate dump to conveyor, sand dump to conveyor, aggregate conveyor to elevator storage, and sand conveyor to elevated storage Control efficiency: 75%

Emission Limits

7. Emission Limits

The emissions from the HMA Dryer stack shall not exceed any emissions rate limit in the following table.

Table 3 HMA DRYER EMISSION LIMITS^a

Source Description	PM ₁₀ ^b	
	lb/hr ^c	T/yr ^d
HMA Dryer stack	8.05	11.5

- a) In absence of any other credible evidence, compliance is assured by complying with permit operating, monitoring, and record keeping requirements.
- b) Particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers, including condensable particulate as defined in IDAPA 58.01.01.006.
- c) Pounds per hour, as determined by a test method prescribed by IDAPA 58.01.01.157, EPA reference method, or DEQ-approved alternative.
- d) Tons per any consecutive 12-calendar month period.

8. Opacity Limit

Emissions from the baghouse stack, or any other stack, vent, or functionally equivalent opening associated with the HMA plant, 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.

9. Standards for Particulate Matter - NSPS

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 90 mg/dscm (0.04 gr/dscf);
 - Exhibit 20 percent opacity, or greater.

10. General Provisions - NSPS

The permittee shall comply with the applicable requirements of 40 CFR 60, Subpart A – General Provisions.

- The standards set forth in the Opacity Limit permit condition shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard in accordance with 40 CFR 60.11(c).
- At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the HMA plant, including the HMA Dryer baghouse, in a manner consistent with good air pollution control practice for minimizing emissions, in accordance with 40 CFR 60.11(d).

Operating Requirements

11. Production and Setback Distance Limits

The permittee shall comply with the minimum setback distances listed in Table 4, and the daily and annual production rates shall not exceed the values shown in Table 4. The minimum setback shall be defined as the minimum distance from the nearest edge of any emissions source listed in Table 1 to any area outside of a building where the general public has access.

The HMA plant shall process aggregate, asphalt cement, and recycled asphalt cement (RAP) as raw materials. RAP used as part of the aggregate shall not exceed 50 percent of the total HMA production in tons per calendar day, or 2,000 tons per calendar day, whichever is less.

Table 4 HMA PLANT PRODUCTION LIMITS AND SETBACK DISTANCES

HMA Production Limits		Setback Distance (ft)
Daily HMA production	4,000 T/day	374
Annual HMA production	1,000,000 T/yr ^a	

a. T/yr is defined as tons of material processed per consecutive 12-calendar month period

12. 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.

13. Permitted Fuels

The HMA Dryer shall combust only natural gas, ASTM Grade 1 and Grade 2 distillate fuel oil, or reprocessed fuel oil (RFO).

[September 2, 2011]

14. Used Oil Specifications

In accordance with 40 CFR 279.11, used oil (as defined by ASTM D6488) shall be limited to RFO4, RFO5L, and RFO5H, and shall not exceed any of the allowable levels of the constituents or properties listed in the following table:

Table 5 40 CFR 279.11 - USED OIL SPECIFICATIONS¹

Constituent/Property	Allowable Level
Arsenic	5 ppm
Cadmium	2 ppm
Chromium	10 ppm
Lead	100 ppm
Sulfur	5,000 ppm (0.5% by weight)
Flash Point	A minimum of 100 °F
Total Halogens	4,000 ppm
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 PCB are imposed by 40 CFR 761.20(e).

If the used oil contains greater than or equal to 1,000 ppm total halogens, it is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste. The Permittee may rebut the presumption by demonstrating that the used oil does not contain hazardous waste.

[September 2, 2011]

15. 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.

16. 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.

17. Baghouse System Control Equipment

The permittee shall install and operate the HMA Dryer Baghouse to control PM and PM10 from the HMA plant and to demonstrate compliance with the emission limits in the permit conditions.

18. Baghouse System Procedures

Within 60 days of initial startup of the HMA plant, the permittee shall have developed a Baghouse System Procedures document for the inspection and operation of the HMA dryer baghouse. The Baghouse System Procedures document shall be a permittee developed document independent of the manufacturer-supplied operating manual but may include summaries of procedures in the manufacturer-supplied operating manual.

At a minimum the following items shall be included in the Baghouse System Procedures document;

- Procedures for inspecting and maintaining the HMA dryer baghouse in accordance with the Permit Condition and to comply with General Provisions.
- Schedule and procedures for corrective action that will be taken if visible emissions are present from the HMA dryer baghouse at any time, including procedures to determine whether bags are ruptured, and procedures to determine if bags or cartridges are not appropriately secured in place.
- The manufacturer name and model, the maximum capacity (yd³/hr and T/hr), the fuel consumption (gal/hr), the PM₁₀ control efficiency, and the stack parameters for any equivalent equipment used in place of the equipment listed in **Error! Reference source not found.**

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

Air Quality Permit Compliance
Idaho Falls Regional Office
Department of Environmental Quality
900 N. Skyline, Suite B
Idaho Falls, ID 83402

Phone: (208) 528-2650
Fax: (208) 528-2695

The Baghouse System Procedures document shall remain onsite at all times and shall be made available to DEQ representatives upon request.

The operation and monitoring requirements specified in the Baghouse System Procedures document are incorporated by reference into this permit and are enforceable permit conditions.

Monitoring and Recordkeeping Requirements

19. Visible Emissions/Opacity Monitoring

Each month 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. 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.

20. 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 that the methods used to reasonably control fugitive emissions are effective to demonstrate compliance. 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.

21. Production Monitoring

For each day that the asphalt drum mixer is operated, the Permittee shall maintain the following records:

- The amount of asphalt produced in tons per hour and tons per day to demonstrate compliance with the hourly and daily Asphalt Production Limits permit condition.

Monthly asphalt production shall be determined by summing daily production over the previous calendar month. Consecutive 12-months of asphalt production shall be determined by summing the monthly production over the previous consecutive 12 month period to demonstrate compliance with the consecutive 12-months Asphalt Production Limits permit condition.

[September 2, 2011]

22. Setback Distance Monitoring

The permittee shall measure and record the distance, to an accuracy of plus or minus six feet, between the property line and the base of the asphalt drum mixer baghouse exhaust stack each time the asphalt drum mixer baghouse is moved to demonstrate compliance with the Setback Distance Requirements permit condition.

[September 2, 2011]

23. Used Oil Certification

On an as-received basis for each shipment of used oil, the permittee shall maintain the following supplier verified and certified information or the fuel may be analyzed by a qualified laboratory:

- The name and address of the used oil supplier;
- The measured concentration, expressed as ppmv, or a certification statement from the used oil supplier that the shipment meets the used oil specifications in the Used Oil Specification permit condition;
- 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);
- The date and location of each sample; and
- The date of each certification analysis.

[September 2, 2011]

24. 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 to demonstrate compliance with Sulfur Content Limit permit condition.

25. 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.

26. Baghouse Monitoring

The Permittee shall maintain records of the results of each baghouse system inspection in accordance with the General Provisions. The records shall include a description of whether visible emissions were present and if visible emissions were present a description of the corrective action that was taken.

Performance Testing Requirements

27. Periodic Performance Testing

Performance testing on the HMA Dryer baghouse stack shall be performed no later than June 2014 and then 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 PM₁₀ emission rate in pounds per hour and the opacity to demonstrate compliance with the Opacity, emissions limit and Particulate Matter 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 Testing 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.

Each performance test shall consist of three separate runs using the applicable test method in accordance with 40 CFR 60.8(f).

[September 2, 2011]

28. 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 recycled asphalt pavement usage in tons per hour, once every 15 minutes;
- The type of fuel combusted in the HMA dryer; and
- The visible emissions observed during the performance test.

29. Performance Test Methods - NSPS

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

- In accordance with 40 CFR 60.93(b) and 60.11(b), the permittee shall determine compliance with the particulate matter standards in the Emissions Limits 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 initial compliance, opacity observations shall be conducted concurrently with the initial performance test required by the Initial 40 CFR 60, Subpart I – Standard for Particulate Matter Performance Test permit condition.

30. PM/PM₁₀ Performance Test Methods

The permittee shall use EPA Method 5 and 202 or such comparable and equivalent methods approved in accordance with Subsection 157.02.d to determine compliance with the particulate matter emissions limit permit condition in accordance with IDAPA 58.01.01.700.04.

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

Reporting Requirements

31. Performance Test Reporting

Performance test reports shall include records of the monitoring and recordkeeping required by the Performance Test Monitoring and Recordkeeping permit condition, and documentation that the performance test was conducted in accordance with the Initial 40 CFR 60, Subpart I – Standard for Particulate Matter Performance Test and the Periodic PM₁₀ Performance Testing permit conditions. Performance test reports shall be submitted by the permittee to the following address:

Air Quality Permit Compliance
Idaho Falls Regional Office
Department of Environmental Quality
900 N. Skyline, Suite B
Idaho Falls, ID 83402

Phone: (208) 528-2650
Fax: (208) 528-2695

32. Relocation

At least 10 days prior to relocation of any permitted equipment, the permittee shall submit a scaled plot plan and a completed 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
 Ph.: (208) 373-0502
 Fax: (208) 373-0340

The scaled plot plan shall show the locations of the permitted equipment and the distances to any area where the general public has access, including the distances to the site property lines.

33. NSPS 40 CFR 60, Subpart A – General Provisions

The permittee shall comply with the requirements of 40 CFR 60, Subpart A – General Provisions. A summary of applicable requirements for affected facilities is provided in the following table:

Table 6 NSPS 40 CFR 60, Subpart A – Summary of General Provisions for Owners and Operators of Affected Facilities

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 shall be submitted to: Department of Environmental Quality Idaho Falls Regional Office 900 N. Skyline, Suite B Idaho Falls, ID 83402</p> <p>All requests, reports, applications, submittals, and other communications associated with 40 CFR 60, Subpart A shall be submitted to: Director Air and Waste and Department of Environmental Quality EPA Region X Idaho Falls Regional Office 1200 Sixth Avenue 900 N. Skyline, Suite B OAQ-107 Idaho Falls, ID 83402 Seattle, WA 98101</p>
60.7(a), (b), and (f)	Notification and Recordkeeping	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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.

Non-attainment Area Operations

34. Non-attainment Area Operations

The permittee shall not move into and operate any equipment authorized by this permit to any air quality non-attainment area in the State of Idaho.

[September 2, 2011]

Collocation

35. Collocated Operations

The permitted equipment may not collocate with any other source of emissions, including another HMA plant, concrete batch plant, sand and gravel operation, or electrical generator set.

The permitted equipment shall be considered to be collocated if the nearest distance between any emissions source not listed as permitted equipment and any emissions source listed as permitted equipment is less than 1,000 ft (305 m).

REMEDIATION OF PETROLEUM CONTAMINATED SOILS

Process Description

36. The petroleum contaminated soil is crushed, placed on a designated clay liner, and covered. The contaminated aggregate is then conveyed into the feed end of the drum mix dryer where the petroleum hydrocarbons are volatilized and partially destroyed by incineration prior to the addition of the hot asphalt cement to produce hot-mix asphalt. Heavier hydrocarbon fractions that are not volatilized are expected to be solidified or encapsulated in the asphalt/aggregate matrix.

[September 2, 2011]

37. Emission Controls Description

Particulate matter (PM) emissions from the HMA drum dryer are controlled by a pulse jet baghouse.

[September 2, 2011]

Emission Limits

38. Emission Limits

The permittee shall comply with emission limits specified in Opacity and Emission Limits permit conditions within the Hot Mix Asphalt Production section.

[September 2, 2011]

Operating Requirements

39. The permittee shall comply with operating requirements specified in the Emission Limits, Setback Distance and the RAP monitoring permit conditions.

[September 2, 2011]

40. Petroleum Contaminated Soil and Aggregate Throughput Limits

The maximum amount of petroleum-contaminated soil and aggregate used to produce HMA shall not exceed 730 tons per consecutive 12-calendar month period.

[September 2, 2011]

41. Gasoline Concentration

The gasoline concentration in any petroleum-contaminated soil and aggregate to be remediated shall not exceed 5,000 milligrams per kilogram (mg/kg).

[September 2, 2011]

42. Remediation of Waste Oil and Used Oil Contaminated Soil and Aggregate

The permittee shall not remediate any soil or aggregate contaminated with waste oil or used oil.

[September 2, 2011]

Monitoring and Recordkeeping Requirements

43. Contaminated Soil and Aggregate Throughput Monitoring

The permittee shall monitor and record the amount of petroleum-contaminated soil and aggregate remediated by this hot-mix asphalt facility on a monthly and annual basis. The throughput of petroleum-contaminated soil and aggregate shall be recorded in tons per month and tons per consecutive 12-calendar month period.

[September 2, 2011]

44. Gasoline Content Monitoring

All petroleum-contaminated soil and aggregate to be remediated by this hot-mix asphalt facility shall be analyzed by an independent laboratory to demonstrate compliance with the Gasoline Concentration permit condition.

[September 2, 2011]

PERMIT TO CONSTRUCT GENERAL PROVISIONS

General Compliance

45. 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.]**
46. 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]**
47. 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

48. 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

49. The permittee shall furnish DEQ written notifications as follows in accordance with IDAPA 58.01.01.211:
- 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.

[IDAPA 58.01.01.211, 5/1/94]

Performance Testing

50. 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, at its option, may 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.
51. 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.
52. 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

53. 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

54. 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

55. 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

56. 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

57. 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

58. 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

59. 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]