



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502  
www.deq.idaho.gov

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

September 19, 2014

Wayne Irvin, Owner  
Irvco Asphalt and Gravel, Inc.  
P.O. Box 931  
Fruitland, ID 83619

Tony Martarano, Vice President  
C&A Paving Company, Inc.  
4015 South Banner Street  
Boise, ID 83709-5511

RE: Facility ID No. 777-00255, Irvco Asphalt and Gravel, Inc., portable  
Automatic transfer of permit to construct

Dear Mr. Irvin and Mr. Martarano:

This letter acknowledges receipt on September 4, 2014 of a request for an automatic transfer of a permit to construct (PTC), in accordance with IDAPA 58.01.01.209.06.b (*Rules for the Control of Air Pollution in Idaho*). The transfer request is for PTC No. 777-00255 (000053), issued June 2, 2000, and is based on the following information:

**Current Permittee Information**

Permittee: Irvco Asphalt and Gravel, Inc.  
Mailing Address: P.O. Box 931, Fruitland, ID 83619  
Responsible Official: Wayne Irvin, Owner  
Phone Number: (208) 452-5835

**Proposed Permittee Information**

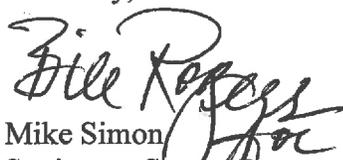
Permittee: C&A Paving Company, Inc.  
Mailing Address: 4015 South Banner Street, Boise, ID 83709-5511  
Responsible Official: Tony Martarano, Vice President, tony@capaving.com  
Phone Number: (208) 362-4244

All other information in the permit remains the same.

Attached to this letter is the written documentation, signed by the current and proposed permittees, containing a date for transfer of permit responsibility, designation of the permittee's responsible official, and certification that C&A Paving Company, Inc. intends to operate in accordance with the permit terms and conditions and IDAPA 58.01.01.209.06.b.ii. The effective date of the PTC permit transfer is October 15, 2014. DEQ recommends that you maintain a copy of this letter, and the attachment containing your original request, for your records.

This transfer does not release C&A Paving Company, Inc. from compliance with all other applicable federal, state, or local laws, regulations, permits, or ordinances. If you have any questions, please contact Morrie Lewis at (208) 373-0502 or [Morrie.Lewis@deq.idaho.gov](mailto:Morrie.Lewis@deq.idaho.gov).

Sincerely,



Mike Simon  
Stationary Source Program Manager  
Air Quality Division

Attachment

MS/ML

Project No. P-2000.0053 PROJ 61424

September 2, 2014

Attn: Bill Rogers  
Permit Program Coordinator  
Air Division  
Idaho DEQ

Re: PTC#777-00255

Bill,

This shall serve as intent that I, Wayne Irvin; owner of Irvco Asphalt, Inc., will transfer the current PTC number referenced above to C&A Paving Company, Inc., effective October 15, 2014. The responsible official for C&A Paving Company, Inc. is Tony Martarano.

Wayne Irvin  
Signature

9/2/14  
Date

### ACKNOWLEDGMENT

STATE OF IDAHO        )  
                                  : ss.  
County of Ada        )

On the 2nd day of September 2014, before me, the undersigned Notary Public, personally appeared Wayne Irvin, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.



Tracy A Malay  
Notary Public for Idaho  
Residing at Boise, ID  
Commission Expires: 11-06-19





STATE OF IDAHO  
DIVISION OF  
ENVIRONMENTAL QUALITY

RECEIVED

JUN - 9 2000

DIV OF ENVIRONMENTAL QUALITY  
BOISE REGIONAL OFFICE

1445 North Orchard • Boise, Idaho 83706-2239 • (208) 373-0550

Dirk Kempthorne, Governor  
C. Stephen Allred, Administrator

June 2, 2000

**CERTIFIED MAIL # P 218 222 642**

Mr. Wayne Irvin  
Irvco Asphalt and Gravel Inc.  
P.O. Box 931  
Fruitland, ID 83619

RE: P-000053, IRVCO Asphalt and Gravel, Inc., Fruitland, Idaho  
(New Portable Hot Mix Asphalt Plant, PTC No. 777-00255)

Dear Mr. Irvin:

On April 12, 2000, the Idaho Department of Health and Welfare, Division of Environmental Quality (DEQ) received a Permit to Construct (PTC) application from Irvco Asphalt and Gravel, Incorporated, for a new portable hot mix asphalt plant. On May 10, 2000, the application was determined complete. Based on review of the application and all applicable state and federal rules and regulations, DEQ finds that this project meets the provisions of IDAPA 16.01.01.200 (*Rules for the Control of Air Pollution in Idaho*). Enclosed is PTC No. 777-00255.

This permit does not release the permittee from compliance with all other applicable federal, state, local, or tribal laws, regulations, or ordinances.

Please pay particular attention to the reporting requirements contained in Paragraph E of the General Provisions section of the permit. This information is needed to properly track the progress of the permit. Please refer to the appropriate permit number when submitting reports required in the Reporting Requirements section of the permit.

You are strongly encouraged to request a meeting with DEQ to discuss the permit terms and requirements with which your facility must comply. Tom Krinke of the Boise Regional Office will contact you regarding this meeting. DEQ strongly recommends that in addition to your facility's plant manager; your responsible official, environmental contact, and any operations staff responsible for day-to-day compliance with permit conditions also attend the meeting.

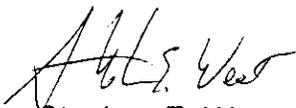
You, as well as any other entity, may have the right to appeal this final agency action pursuant to the Idaho Department of Health and Welfare Rules, Title 5, Chapter 3, "Rules Governing Contested Case Proceedings and Declaratory Rulings," by filing a

Mr. Wayne Irvin  
June 2, 2000  
Page 2

petition with the Hearings Coordinator, Department of Health and Welfare, Administrative Procedures Section, 450 West State Street, Tenth Floor, Boise, Idaho 83720-5450, within thirty-five (35) days of the date of this decision. However, DEQ encourages you to contact the Air Quality Permit Program to address any concerns you may have with the enclosed permit prior to filing a petition for a contested case.

If you have any questions regarding the terms or conditions of the enclosed permit, please contact Tom Krinke at 373-0550.

Sincerely,



Stephen E. West  
Administrator  
Boise Regional Office

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Enclosures

cc: DEQ State Office  
EPA Region 10  
Boise RO

STATE OF IDAHO  
 PERMIT TO CONSTRUCT  
 AN AIR POLLUTION  
 EMITTING SOURCE

PERMIT NUMBER

7 7 7 - 0 0 2 5 5

AQCR

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CLASS

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UTM COORDINATE (km)

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1. PERMITTEE

Irvco Asphalt and Gravel, Inc.

2. PROJECT

Portable Hot-Mix Asphalt Plant

3. MAILING ADDRESS

P.O. Box 931

CITY

Fruitland

STATE

ID

ZIP CODE

83619

4. SITE LOCATION COUNTY

Portable

NO. OF FULL-TIME EMPLOYEES

10

PROPERTY AREA AT SITE (Acreage)

Varies

5. PERSON TO CONTACT

Wayne Irvin

TITLE

Owner

TELEPHONE

452-5835

6. EXACT PLANT LOCATION

Portable

7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS

Hot-Mix Asphalt Production (Including Aggregate, Asphalt, and Concrete Production when Collocated)

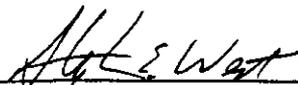
8. GENERAL CONDITIONS

This permit is issued according to the *Rules for the Control of Air Pollution in Idaho*, Section 16.01.01.200, and pertains only to emissions of air contaminants that are regulated by the State of Idaho and to the sources specifically allowed to be constructed 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 Idaho Department of Health and Welfare, Division of Environmental Quality (DEQ) or its officers, agents, or employees, assumes 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 is not transferable to another person, place, piece or set of 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 of design or equipment may require Department approval pursuant to the *Rules for the Control of Air Pollution in Idaho*, IDAPA 16.01.01.200, et.seq.



REGIONAL ADMINISTRATOR, BOISE REGIONAL OFFICE  
 DIVISION OF ENVIRONMENTAL QUALITY

DATE: June 2, 2000

**PERMIT TO CONSTRUCT  
PERMITTEE, PROJECT, AND LOCATION**

Irvco Asphalt & Gravel, Inc.  
Hot-Mix Asphalt Plant  
Portable

**PERMIT NUMBER**

7 7 7 - 0 0 2 5 5

**SOURCE**

Portable Hot-Mix Asphalt Plant

**A. STATEWIDE REQUIREMENTS**

The Permittee shall comply with the following sourcewide conditions when the hot-mix asphalt facility is operated anywhere (nonattainment, attainment, or unclassifiable areas) within the State of Idaho.

**A.1 EMISSION LIMITS**

**A.1.1 Asphalt Dryer Emission Limits**

Particulate matter (PM) emissions from the hot-mix asphalt dryer stack shall not exceed 0.04 grains per dry standard cubic foot (gr/dscf), nor shall PM emissions from the hot-mix asphalt dryer stack exceed any corresponding emission rate limit listed in Appendix A of this permit.

**A.1.2 Other Particulate Matter Emission Limits**

Gases from systems for screening, handling, storing, and weighing hot aggregate which emanate from a stack, vent, or other functionally equivalent opening; shall not contain PM emissions in excess of 0.04 grains per dry standard cubic foot (gr/dscf).

**A.1.3 Opacity Limit**

Emissions emanating from any stack, vent, or other functionally equivalent opening, shall not exceed twenty percent (20%) opacity for a period or periods aggregating more than three (3) minutes in any sixty (60) minute period as required in IDAPA 16.01.01.625 (*Rules for the Control of Air Pollution in Idaho*). Opacity shall be determined using the procedures contained in IDAPA 16.01.01.625.

**A.1.4 Visible Emission Limits at Property Boundary**

Fugitive emissions shall not be observed leaving the property boundary for a period or periods aggregating more than three (3) minutes in any sixty (60) minute period. Visible emissions shall be determined by Method 22, 40 CFR Part 60, Appendix A, or a DEQ-approved alternative method.

**A.2 OPERATING REQUIREMENTS**

**A.2.1 Reasonable Control of Fugitive Emissions**

All reasonable precautions shall be taken to prevent particulate matter from becoming airborne as required in IDAPA 16.01.01.651. In determining what is reasonable, considerations will be given to factors such as the proximity of dust-emitting operations to human habitations and/or activities and atmospheric conditions which might affect the movement of particulate matter. Some of the reasonable precautions include, but are not limited to, the following:

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Portable

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**SOURCE**

Portable Hot-Mix Asphalt Plant

- A.2.1.1 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;
- A.2.1.2 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;
- A.2.1.3 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;
- A.2.1.4 Covering, where practical, of open-bodied trucks transporting materials likely to give rise to airborne dusts;
- A.2.1.5 Paving of roadways and their maintenance in a clean condition, where practical; or
- A.2.1.6 Prompt removal of earth or other stored material from streets, where practical.

**A.2.2 Dryer Burner Fuel Limits**

The burner fuel shall be either distillate fuel oil, residual fuel oil, natural gas, or propane gas only.

**A.2.3 Monitoring Equipment**

The Permittee shall install, calibrate, maintain, and operate, in accordance with manufacturer's specifications, equipment to continuously measure the pressure differential across the air pollution control equipment and the scrubbing media flowrate to the air pollution control equipment. A scrubbing media flowrate monitor is required only if a wet scrubber is used to control some or all of the emissions from the hot-mix asphalt plant.

**A.2.4 Operations and Maintenance Manual Requirements**

Within sixty (60) days after startup, the Permittee shall have developed an Operations and Maintenance (O&M) Manual for the air pollution control device which describes the procedures that will be followed to comply with General Provision B and the air pollution control device requirements contained in this permit. The manual shall remain on site at all times and shall be available to DEQ representatives upon request.

**A.2.5 Pressure Drop Across Air Pollution Control Device**

The pressure drop across the air pollution control device shall be maintained within the manufacturer's and O&M Manual's specifications. Documentation of both the manufacturer's and O&M Manual's operating pressure drop specifications shall remain on site at all times and shall be available to DEQ representatives upon request.

**DATE: June 2, 2000**

**PERMIT TO CONSTRUCT  
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Irvco Asphalt & Gravel, Inc.  
Hot-Mix Asphalt Plant  
Portable

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**SOURCE**

Portable Hot-Mix Asphalt Plant

**A.2.6 Scrubbing Media Flowrate**

When a wet scrubber is utilized, the scrubbing media flowrate to the air pollution control device shall be maintained within manufacturer's and O&M Manual's specifications. Documentation of the manufacturer's and O&M Manual's operating scrubbing media specifications shall remain on site at all times and shall be available to DEQ representatives upon request.

**A.3 MONITORING AND RECORDKEEPING REQUIREMENTS**

**A.3.1 Operating Parameters**

The following parameters shall be monitored and recorded. The most recent two (2) years' compilation of data shall be kept on site, in a log, and be available to DEQ representatives upon request:

A.3.1.1 Pressure drop across the air pollution control device once on a daily basis.

A.3.1.2 When a wet scrubber is utilized, the scrubbing media flowrate to the air pollution control device once on a daily basis.

A.3.1.3 Hot-mix asphalt production in tons per day (T/day) and tons per month (T/mo).

**A.3.2 Reasonable Control Measures**

The Permittee shall monitor and record in a log, during operation, the periodic method(s) used to reasonably control emissions from this facility. The log shall include the type of control used (e.g., water, environmentally safe chemical dust suppressants, etc.), as well as the circumstances under which no controls are used. The most recent two (2) years' compilation of data shall be kept on site and shall be available to DEQ representatives upon request.

**A.3.3 Monitor Generator Hours of Operation**

The facility is to be constructed without a generator and cannot be operated with a generator in any attainment, unclassified, or nonattainment areas within the State of Idaho.

**A.3.4 40 CFR 670.93 Initial Performance Testing Requirements**

The Permittee shall conduct a performance test on the hot-mix asphalt facility in accordance with 40 CFR 60.93, IDAPA 16.01.01.157 and General Provision F of this permit. The performance test shall be conducted to demonstrate compliance with the applicable particulate matter standards defined in 40 CFR 60.92.

If the hot-mix asphalt facility has previously conducted a performance test in accordance with 40 CFR 60.93 which demonstrates compliance with the applicable standards, then an additional performance test is not

**DATE: June 2, 2000**

**PERMIT TO CONSTRUCT  
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Irvco Asphalt & Gravel, Inc.  
Hot-Mix Asphalt Plant  
Portable

**PERMIT NUMBER**

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**SOURCE**

Portable Hot-Mix Asphalt Plant

required by this Section of the permit. The Permittee shall maintain a copy of the performance test results of the most recently conducted stack test on this asphalt facility. This report shall be made available to DEQ representatives upon request.

**A.3.5 Opacity and Visible Emissions Testing**

The Permittee shall conduct a visual determination of opacity from this hot-mix asphalt facility stack and a visual determination of emissions at the property boundary following the procedures specified in IDAPA 16.01.01.157 and General Provision F of this permit.

**A.4. REPORTING REQUIREMENTS**

**A.4.1 Performance Test Protocol**

Prior to conducting any emission test, the Permittee is strongly encouraged to submit in writing to DEQ, at least thirty (30) days in advance, a performance test protocol in accordance with IDAPA 16.01.01.157.01.a.

**A.4.2 Performance Test Report**

In accordance with IDAPA 16.01.01.157.04, the Permittee shall submit a written report of the performance test results to DEQ within thirty (30) days of completion of the test.

**A.4.3 Relocation**

All existing portable equipment shall be registered. At least ten (10) days prior to relocation of any equipment covered by this permit, the Permittee shall submit a complete Portable Equipment Registration and Relocation Form (supplied by DEQ) in accordance with IDAPA 16.01.01.500, including the following information:

A.4.3.1 Exact location of the new site of operations;

A.4.3.2 Startup date at the new site of operations and the duration of operations at the new site;

A.4.3.3 Equipment to be used at the new site;

A.4.3.4 A scaled plot plan clearly showing the property boundary of the new site; and

A.4.3.5 Other permitted portable sources the unit will be collocated with at the new site of operations (i.e., hot-mix asphalt plant, cement plant, or rock crusher).

**A.4.4 Certification of Documents**

All documents, including, but not limited to, application forms for Permits to Construct, monitoring data, supporting information, requests for confidential treatment, testing reports, and compliance certifications

**DATE: June 2, 2000**

**PERMIT TO CONSTRUCT  
PERMITTEE, PROJECT, AND LOCATION**Irvco Asphalt & Gravel, Inc.  
Hot-Mix Asphalt Plant  
Portable**PERMIT NUMBER**

777 - 00255

**SOURCE**

Portable Hot-Mix Asphalt Plant

submitted to DEQ shall contain a certification by a responsible official in accordance with IDAPA 16.01.01.123. 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.

**DATE: June 2, 2000**

**PERMIT TO CONSTRUCT  
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Irvco Asphalt & Gravel, Inc.  
Hot-Mix Asphalt Plant  
Portable

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7 7 7 - 0 0 2 5 5

**SOURCE**

Portable Hot-Mix Asphalt Plant

**B. ATTAINMENT OR UNCLASSIFIABLE AREA REQUIREMENTS WHEN NOT COLLOCATED**

The Permittee shall comply with the conditions in Section A of this permit and the following permit conditions when the hot-mix asphalt facility is operated in any attainment or unclassifiable areas, and when it is not collocated, within the State of Idaho.

**B.1 OPERATING REQUIREMENTS**

**B.1.1 Facility Throughput Limits**

The production rate of the hot-mix asphalt facility shall not exceed a maximum of one million, four hundred one thousand, six hundred tons per any consecutive 12-month period (1,401,600 T/yr) when located in any attainment or unclassifiable area.

**B.1.2 Collocation Requirements**

When the hot-mix asphalt facility is to be collocated with another portable hot-mix asphalt plant, rock crushing plant, or concrete batch plant; the collocation requirements of Section C of this permit must be complied with.

**B.1.3 Generator Hours of Operation**

The facility is to be constructed without a generator and cannot be operated with a generator in any attainment, unclassified, or nonattainment areas within the State of Idaho.

**DATE: June 2, 2000**

**PERMIT TO CONSTRUCT  
PERMITTEE, PROJECT, AND LOCATION**

Irvco Asphalt & Gravel, Inc.  
Hot-Mix Asphalt Plant  
Portable

**PERMIT NUMBER**

7 7 7 - 0 0 2 5 5

**SOURCE**

Portable Hot-Mix Asphalt Plant

**C. ATTAINMENT OR UNCLASSIFIABLE AREA REQUIREMENTS WHEN COLLOCATED**

The Permittee shall comply with the conditions in Section A of this permit and the following permit conditions when the hot-mix asphalt facility is to be collocated with another portable hot-mix asphalt plant, rock crushing plant, or concrete batch plant within the State of Idaho. The hot-mix asphalt facility may only collocate with either one (1) portable rock crushing plant, one (1) portable concrete batch plant, or one (1) other portable hot-mix asphalt plant which has been permitted to specifically allow collocation.

**C.1 OPERATING REQUIREMENTS**

**C.1.1 Collocation Areas**

The hot-mix asphalt facility may collocate in attainment or unclassifiable areas only. The Permittee shall not collocate in a nonattainment area, or proposed nonattainment area, without obtaining a permit which specifically allows for collocation in a nonattainment area.

**C.1.2 Number of Portable Sources**

The hot-mix asphalt facility may only collocate with either one (1) portable rock crushing plant, one (1) portable concrete batch plant, or one (1) other portable hot-mix asphalt plant which has been permitted to specifically allow collocation.

**C.1.3 Facility Throughput Limits**

The production rate of the hot-mix asphalt facility shall not exceed a maximum of two thousand, seven hundred forty-one tons per day (2,741 T/day). In addition, the production rate of the hot-mix asphalt facility shall not exceed a maximum of seven hundred thousand, eight hundred tons per any 12-month period 700,800 T/yr when collocated with another hot-mix asphalt plant, concrete batch plant, or rock crushing plant.

**C.1.4 Generator Hours of Operation**

The facility is to be constructed without a generator and cannot be operated with a generator in any attainment, unclassified, or nonattainment areas within the State of Idaho.

**DATE: June 2, 2000**

**PERMIT TO CONSTRUCT  
PERMITTEE, PROJECT, AND LOCATION**

Irvco Asphalt & Gravel, Inc.  
Hot-Mix Asphalt Plant  
Portable

**PERMIT NUMBER**

7 7 7 - 0 0 2 5 5

**SOURCE**

Portable Hot-Mix Asphalt Plant

**D. NONATTAINMENT AREA REQUIREMENTS**

The Permittee shall comply with the conditions in Section A of this permit and the following permit conditions when the hot-mix asphalt facility is operated in any PM-10 nonattainment areas within the State of Idaho. While operating the hot-mix asphalt facility under the conditions set forth in Section D, the hot-mix asphalt facility may not collocate with any other facility.

**D.1 OPERATING REQUIREMENTS**

**D.1.1 Facility Throughput Limits**

The production rate of the hot-mix asphalt facility shall not exceed a maximum of four hundred twenty-eight tons per day (428 T/day). In addition, the production rate of the hot-mix asphalt facility shall not exceed a maximum of one hundred fifty-six thousand, three hundred fifteen tons per any consecutive 12-month period (156,316 T/yr) when located in any PM-10 nonattainment area or proposed PM-10 nonattainment area.

**D.1.2 Collocation Requirements**

The hot-mix asphalt facility shall not be collocated with another portable hot-mix asphalt plant, rock crushing plant, or concrete batch plant when located in any PM-10 nonattainment area or proposed PM-10 nonattainment area.

**D.1.3 Generator Hours of Operation**

The facility is to be constructed without a generator and cannot be operated with a generator in any attainment, unclassified, or nonattainment areas within the State of Idaho.

**DATE: June 2, 2000**

**PERMIT TO CONSTRUCT  
PERMITTEE, PROJECT, AND LOCATION**

Irvco Asphalt & Gravel, Inc.  
Hot-Mix Asphalt Plant  
Portable

**PERMIT NUMBER**

777 - 00255

**SOURCE**

Portable Hot-Mix Asphalt Plant

**APPENDIX A**

Portable Hot-Mix Asphalt Facility

Hourly PM-10 Emission Limits (lb/hr)<sup>a</sup>

Source Description	PM-10 (lb/hr)
Dryer Stack Outlet	6.5

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

**DATE: June 2, 2000**

**PERMIT TO CONSTRUCT GENERAL PROVISIONS**

- A. 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 emission 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.
- B. 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.
- C. The Permittee shall allow the Director, and/or the authorized representative(s), upon the presentation of credentials:
1. To enter at reasonable times upon the premises where an emission source is located, or in which any records are required to be kept under the terms and conditions of this permit; and
  2. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit, to inspect any monitoring methods required in this permit, and require stack emission testing in conformance with IDAPA 16.01.01.157 when deemed appropriate by the Director.
- D. Nothing in this permit is intended to relieve or exempt the Permittee from compliance with any applicable federal, state, or local law or regulation, except as specifically provided herein.
- E. The Permittee shall notify DEQ, in writing, of the required information for the following events within five (5) working days after occurrence:
1. Initiation of Construction - Date
  2. Completion/Cessation of Construction - Date
  3. Actual Production Startup - Date
  4. Initial Date of Achieving Maximum Production Rate - Production Rate and Date
- F. If emission testing is specified, the Permittee must schedule such testing within sixty (60) days after achieving the maximum production rate, but not later than one hundred and eighty (180) days after initial startup. Such testing must **strictly** adhere to the procedures outlined in IDAPA 16.01.01.157, and shall not be conducted on weekends or state holidays without prior written DEQ approval. Testing procedures and specific time limitations may be modified by DEQ by prior negotiation if conditions warrant adjustment. DEQ shall be notified at least fifteen (15) days prior to the scheduled compliance test. Any records or data generated as a result of such compliance test shall be made available to DEQ upon request.
- The maximum allowable operating rate shall be limited to 120% of the average operating rate attained during any performance test period, for which a test protocol has been granted prior approval by DEQ, unless (1) the test demonstrates noncompliance, (2) a more restrictive operating limit is specified elsewhere in this permit, or (3) at such an operating rate, emissions would exceed any emission limit(s) set forth in this permit.
- G. 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.

DATE: June 2, 2000
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