



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

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

July 6, 2007

Certified Mail No. 7005 1160 0000 1550 9545

Clarence H. Davis
Permits and Environmental Administrator
HK Contractors, Inc.; Teton Plant
P.O. Box 51450
Idaho Falls, Idaho 83405

RE: Facility ID No. 777-00028, HK CONTRACTORS, INC., Teton
Final Permit Letter

Dear Mr. Davis:

The Idaho Department of Environmental Quality (DEQ) is issuing Permit to Construct (PTC) No. P-2007.0068 to HK Contractors, Inc., 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 April 23, 2007. This permit is effective immediately and replaces PTC No. P-060523, issued on December 5, 2006, the terms and conditions of which no longer apply. This permit does not release HK Contractors, 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 Aaron Swift or Ed Jolly, Air Quality Analysts, at (208) 528-2650 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 call Marcia Porter at (208) 373-0502 to address any questions or concerns you may have with the enclosed permit.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mike Simon".

Mike Simon
Stationary Source Program Manager
Air Quality Division

MS\MP\slm

Project No. P-2007.0068

Enclosures

c: Rensay Owen, Idaho Falls Regional Office
Ed Jolly, Idaho Falls Regional Office
Aaron Swift, Idaho Falls Regional Office
Bill Rogers, Permit Coordinator (Ltr only)
Marcia Porter, Permit Writer
Marilyn Seymore/ Pat Rayne, Air Quality Division
Laurie Kral, US EPA Region 10
Permit Binder
Source File
Phyllis Heitman (Ltr Only)
Reading File (Ltr Only)
Joan Lechtenberg, Public Comment (If Public comment period was done)



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

PERMIT No.: P-2007.0068
FACILITY ID No.: 777-00028
AQCR: Portable **CLASS:** SM
SIC: 2951 **ZONE:** Portable
UTM COORDINATE (km): Portable

1. PERMITTEE

H-K Contractors, Inc.

2. PROJECT

Permit to Construct Modification

3. MAILING ADDRESS

P.O. Box 51450

CITY

Idaho Falls

STATE

ID

ZIP

83405

4. FACILITY CONTACT

Larry Ritter

TITLE

Asphalt General Superintendent

TELEPHONE

(208) 532-6600

5. RESPONSIBLE OFFICIAL

Wade Foster (or) Clarence H. Davis

TITLE

Owner (or) Permits &
 Environmental Administrator

TELEPHONE

(208) 523-6600

6. EXACT PLANT LOCATION

Portable; initial location: 110 North, 2300 South; off of State Highway 33, near Sugar City.

COUNTY

Portable; initial location: Fremont

7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS

Production of hot-mix asphalt.

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.

MARCIA PORTER, PERMIT WRITER
 DEPARTMENT OF ENVIRONMENTAL QUALITY

MIKE SIMON, STATIONARY SOURCE PROGRAM MANAGER
 DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE MODIFIED/REVISED:	July 6, 2007
DATE ISSUED:	December 5, 2006

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Acronyms, Units, and Chemical Nomenclature

ASTM	American Society for Testing and Materials
BMP	Best Management Practices
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
ft/sec	feet per second
gr/dscf	grains per dry standard cubic feet
gr	grain (1 lb = 7,000 grains)
HAPs	hazardous air pollutants
HK	H-K Contractors, Inc.,
HMA	Hot Mix Asphalt
hr/yr	hours per year
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
lb/hr	pound per hour
m	meter(s)
MMBtu/hr	million British thermal units per hour
NO _x	nitrogen oxides
O & M	operations and maintenance
PERF	portable equipment relocation form
PM	particulate matter
PM ₁₀	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppm	parts per million
PCB	polychlorinated biphenyl
PTC	permit to construct
RAP	recycled asphalt pavement
scf	standard cubic feet
SIC	Standard Industrial Classification
SM	synthetic minor
SO _x	sulfur oxides
TAP	toxic air pollutants
T/hr	tons per hour
T/yr	tons per year
UTM	Universal Transverse Mercator
VOC	volatile organic compound

AIR QUALITY PERMIT TO CONSTRUCT NUMBER: P-2007.0068

Permittee:	H-K Contractors, Inc.	Facility ID No. 777-00028
Location:	Portable	

1. PERMIT TO CONSTRUCT SCOPE

Purpose

- 1.1 This modified permit to construct (PTC) allows H-K Contractors, Inc., to replace their drum dryer, to use alternative drum dryer fuels, and decrease their annual throughput of the facility when using used oil or distillate fuel.
- 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 PTC No. P-060523, issued on December 5, 2006, 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 SUMMARY OF REGULATED SOURCES

Permit Section	Source Description	Emissions Control(s)
2	<u>Portable Parallel Flow Drum-Mix Asphalt Plant:</u> Manufactured by: Barber Greene Year of Manufacture: 1959 Model No. DA-70X124 Rated Capacity: 250 T/hr Requested Annual Through-put: 950,000 T/yr Operating Fuels: Used oil, Natural Gas, #1 Fuel, #2 Fuel Oil, a mix of #1 & #2, and propane Maximum usage rate: 375 gals/hr	<u>Venturi Wet Scrubber:</u> Manufactured by: Barber Greene Model No.: CV-70 Stack Parameters: Height from ground: 36 ft. Inside Diameter: 3.33 ft. Exhaust: 84.2 acfm Exhaust gas temperature: 127 °F
2	<u>Fugitive Emissions (HAP/TAP):</u> Truck load-out hoppers and storage silo loading/unloading	None

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2. HOT MIX ASPHALT PLANT

2.1 Process Description

The facility is a portable, hot-mix asphalt plant. Stockpiled aggregate is transferred to feed bins, then conveyed to the drum mix dryer. Heated asphalt oil from a storage tank is then introduced to the middle of the drum unit, and mixed with the aggregate. The resulting asphalt product is stored and later loaded into trucks and hauled offsite.

Power to operate the facility is supplied from the local utility company.

2.2 Emissions Control Description

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

Emissions Limits

The permittee shall comply with the following conditions when the portable hot-mix asphalt plant is operated anywhere (in attainment or unclassifiable areas) within the state of Idaho.

2.3 Opacity Limit

Emissions from the Drum Dryer stack, or any other stack, vent, or functionally equivalent opening associated with the hot-mix asphalt 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.

2.4 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.

[July 6, 2007]

Operating Requirements

2.5 Reasonable Control of Fugitive Emissions

All reasonable precautions shall be taken to prevent particulate matter (PM) from becoming airborne in accordance with IDAPA 58.01.01.650-651. 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:

- 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, 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.

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

2.6 Permitted Fuels

The fuels used in the drum dryer shall be distillate fuel oil (ASTM Grade 1 fuel oil or ASTM Grade 2 fuel oil), used oil, natural gas, or propane.

[July 6, 2007]

2.7 Used Oil Fuel Specifications

In reference to 40 CFR 279.11, with the exception of total halogens which are limited to 1,000 ppm, used oil burned for energy recovery shall not exceed any of the allowable levels listed in Table 2.2. In addition, used oil shall not contain a quantifiable level (2 ppm) of polychlorinated biphenyls (PCBs).

Table 2.2 USED OIL SPECIFICATIONS¹

Constituent/property	Allowable level
Arsenic	5 ppm ² maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash point	100 deg. F minimum
Total halogens	1,000 ppm maximum
PCBs ³	< 2 ppm

¹ The specification does not apply to mixtures of used oil and hazardous waste that continue to be regulated as hazardous waste (required in 40 CFR 279.10(b)).

² parts per million

³ Applicable standards for the burning of used oil containing PCBs are required in 40 CFR 761.20(e).

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2.8 Fuel Oil and Used Oil Sulfur Content Limit

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

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2.9 Hot-Mix Asphalt Production Limits

- The production rate of the asphalt plant shall not exceed a maximum of 950,000 tons of HMA per any consecutive 12-calendar month period when burning distillate fuel or used oil.
- The production rate of the asphalt plant shall not exceed a maximum of 1,015,777 tons of HMA per any consecutive 12-calendar month period when burning Natural Gas or Propane.

2.10 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.

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2.11 Wet Venturi Scrubber Operations and Maintenance Manual

The permittee shall have developed an O&M manual for the wet venturi scrubber, which describes the procedures that will be followed to comply with General Provision 2 and the manufacturer specifications and 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 Idaho Falls Regional Office at the following addresses:

Air Quality Compliance
Idaho Falls Regional Office
900 North Skyline
Suite B
Idaho Falls, ID. 83402

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

- The O&M manual shall 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.
- The O&M manual shall list the manufacturer's recommended pressure drop operating range and scrubbing media flow rate range for effective particulate matter emissions control for the wet venturi scrubber.
- The O&M manual shall include an inspection checklist which lists the scrubber components that will be inspected when the wet venture scrubber is taken out of operation and physically inspected (e.g., condition of water spray nozzles, condition of seals, scrubbing media flow meter, etc.).
- The O&M manual shall include the frequency that the physical inspections are to occur.
- The O&M manual shall include a record of the results of each inspection and any corrective action taken in response to the results of the inspection.

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2.12 Wet Venturi Scrubber Pressure Drop

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

2.13 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.

2.14 Wet Venturi Scrubber Operation

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

2.15 Collocation Requirements

- Collocation and operation with any other permanently located or portable HMA plant is prohibited.
- Collocation with any other types of equipment (e.g. rock crushers, concrete batch plants) is prohibited unless the other equipment is specifically permitted to allow collocation.

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Monitoring and Recordkeeping Requirements

2.16 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 month
- HMA production in tons per consecutive 12-calender month period.

2.17 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.

[July 6, 2007]

2.18 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.

[July 6, 2007]

2.19 Used Oil Fuel Certification

The permittee shall demonstrate compliance with the used oil fuel specifications in Permit Condition 2.7 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 Table 2.2;
- 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 Table 2.2;

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- The date and location of each sample; and
- 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.

2.20 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.

Reporting Requirements

2.21 Relocation

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

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

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3. OPERATIONS IN PM₁₀ NONATTAINMENT AREAS

Under this permit, the permittee shall not locate the portable HMA plant in any PM₁₀ nonattainment area.

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

Prior to operation in any PM₁₀ nonattainment area, H-K Contractors, Inc., shall submit an air quality permit to construct application that requests the ability to locate and operate the portable HMA plant within a PM₁₀ nonattainment area. The new PTC must be received prior to construction and operation in a non-attainment area.

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4. 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;

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- 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]

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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.