



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

Dirk Kempthorne, Governor  
C. Stephen Allred, Director

January 16, 2003

**CERTIFIED MAIL No. 7099 3220 0006 2682 6370**

Brian Wood, President  
Woods Crushing and Hauling, Inc.  
933 Wood Side Road  
Sandpoint, ID 83864

RE: AIRS Facility No. 777-00230, Woods Crushing and Hauling Inc., Portable  
(Hot-mix Asphalt Plant, Permit to Construct)

Dear Mr. Wood:

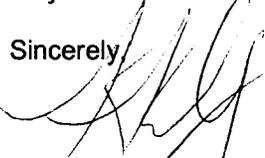
The Department of Environmental Quality (Department) is issuing Permit to Construct No. 777-00230 for a hot-mix asphalt plant in accordance with IDAPA 58.01.01.200-223, Rules for the Control of Air Pollution in Idaho. The enclosed permit to construct is effective immediately and is based on the information in your permit application received May 23, 2002. This permit does not release Woods Crushing and Hauling Inc. from compliance with all other applicable federal, state, or local laws, regulations, permits, and ordinances.

Copies of the Portable Equipment Registration and Relocation Form and maps showing all nonattainment areas within the state of Idaho are also enclosed. The form must be submitted to the Department at least 10 days prior to the relocation of any equipment covered by this permit.

Tom Harman of the Coeur d'Alene Regional Office will contact you regarding a meeting with the Department to discuss the permit terms and requirements. In addition to your facility's plant manager, the Department recommends that the following representatives of your firm also attend this meeting: your responsible official, environmental contact, and any operations staff responsible for day-to-day compliance with permit conditions.

You, as well as any other entity, have the right to appeal this final agency action pursuant to IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality. A petition may be filed with the Hearings Coordinator, Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255 within 35 days of the date of this decision. However, prior to filing a petition for a contested case, the Department encourages you to contact Dan Salgado, Permit Coordinator, at (208) 373-0431 to address any concerns you may have with the enclosed permit.

Sincerely,

  
Katherine B. Kelly  
Administrator  
Air Quality Division

KK/TA/sd Project No. P-020111 G:\AQ\STA SRC\SS LTD\PTC\WOODS CRUSHING HAULING\FINAL PREP\P-020111 LTR.DOC

Enclosures

cc: Sherry Davis, Air Quality Division  
Tom Harman, Coeur d'Alene Regional Office

Laurie Kral, EPA Region 10  
Reading File\AFS Pat Rayne



**Air Quality**  
**PERMIT TO CONSTRUCT**

**State of Idaho**  
**Department of Environmental Quality**

**PERMIT NO.:** 777-00230

**CLASS:** SM

**SIC:** 2951

**1. PERMITTEE**

Woods Crushing and Hauling, Inc.

**2. PROJECT**

Portable Hot-Mix Asphalt Plant

**3. MAILING ADDRESS**

933 Wood Side Road

**CITY**

Sandpoint

**STATE**

ID

**ZIP**

83864

**4. FACILITY CONTACT**

Brian Wood

**TITLE**

President

**TELEPHONE**

(208) 263-4800

**5. RESPONSIBLE OFFICIAL**

Brian Wood

**TITLE**

President

**TELEPHONE**

(208) 263-4800

**6. EXACT PLANT LOCATION**

Portable

**COUNTY**

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

Hot-mix asphalt production (including aggregate, asphalt, and concrete production when collocated)

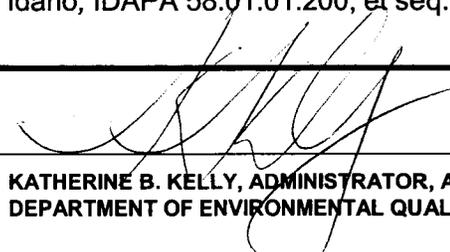
**8. GENERAL CONDITIONS**

This permit is issued according to IDAPA 58.01.01.200, Rules for the Control of Air Pollution in Idaho, and pertains only to emissions of air contaminants 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 Department of Environmental Quality 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 is not transferable to another person, place, or 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 58.01.01.200, et seq.

  
KATHERINE B. KELLY, ADMINISTRATOR, AIR QUALITY DIVISION  
DEPARTMENT OF ENVIRONMENTAL QUALITY

**DATE ISSUED:** January 16, 2003

## ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE

ASTM	American Society for Testing and Materials
CFR	Code of Federal Regulations
CO	carbon monoxide
Department	Department of Environmental Quality
gr/dscf	grains per dry standard cubic feet
HMA	hot-mix asphalt
hp	horsepower
hr/day, hr/yr	hours per day, hours per year
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
O&M	Operations and Maintenance
PM	particulate matter
PM <sub>10</sub>	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
PTC	permit to construct
SIC	Standard Industrial Classification
SM	synthetic minor
T/day, T/yr	tons per day, tons per year

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

**Permittee:** Woods Crushing and Hauling, Inc.  
**Location:** Portable

**Date Issued:** JANUARY 16, 2003

**1. PERMIT TO CONSTRUCT SCOPE**

***Purpose***

This PTC incorporates the following permit.

- PTC No. 777-00230, issued April 20, 1999

***Regulated Sources***

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

**Table 1.1 REGULATED EMISSIONS SOURCES**

<b>Permit Condition</b>	<b>Source Description</b>	<b>Emissions Control(s)</b>
3, 4, 5, 6	Boeing	Venturi scrubber
3, 4, 5, 6	Catepillar 455 hp generator	None

## AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230

Permittee: Woods Crushing and Hauling, Inc.  
Location: Portable

Date Issued: JANUARY 16, 2003

### 2. STATEWIDE REQUIREMENTS

The permittee shall comply with the following conditions when the HMA facility is operated anywhere within the state of Idaho (nonattainment, attainment, or unclassifiable areas).

#### **EMISSION LIMITS**

##### 2.1 Hot-Mix Asphalt Facility Emission Limits

The emissions of PM from the HMA dryer, or from the screening, handling, storing, and weighing of hot aggregate, which emanate from a stack, vent, or other functionally equivalent opening shall not exceed 0.04 gr/dscf.

[40 CFR 60.92]

##### 2.2 Opacity Limit

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

[IDAPA 58.01.01.625]

#### **OPERATING REQUIREMENTS**

##### 2.4 Reasonable Control of Fugitive Emissions

All reasonable precautions shall be taken to prevent PM from becoming airborne as required in IDAPA 58.01.01.651. 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 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, 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.

[IDAPA 58.01.01.651]

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

**Permittee:** Woods Crushing and Hauling, Inc.  
**Location:** Portable

**Date Issued:** JANUARY 16, 2003

**2.4 Dryer Burner Fuel Type**

The burner fuel shall be distillate fuel oil only.

[IDAPA 58.01.01.211]

**2.5 Dryer and Generator 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:

- ASTM Grade No. 1 fuel oil - 0.3% by weight
- ASTM Grade No. 2 fuel oil - 0.5% by weight

[IDAPA 58.01.01.728]

**2.6 Pollution Control Device**

When in operation, the asphalt dryer shall exhaust to a properly functioning Venturi wet scrubber assembly or equivalent at all times.

[IDAPA 58.01.01.211]

**2.7 Monitoring Equipment**

The permittee shall, in accordance with manufacturer specifications, install, calibrate, maintain, and operate, equipment to continuously measure the pressure differential across the Venturi wet scrubber and the scrubbing-media flow rate to the Venturi wet scrubber. A scrubbing-media flow rate monitor is required only if a wet scrubber is used to control some or all of the emissions from the HMA plant.

[IDAPA 58.01.01.211]

**2.8 Operations and Maintenance Manual Requirements**

Within 60 days after permit issuance, the permittee shall have developed an O&M manual for the Venturi wet scrubber that describes the procedures that will be followed to comply with General Provision 2 and the air pollution control device requirements contained in this permit. The manual shall remain onsite at all times and shall be made available to Department representatives upon request.

[IDAPA 58.01.01.211]

**2.9 Pressure Drop Across Air Pollution Control Device**

The pressure drop across the Venturi wet scrubber shall be maintained within manufacturer and O&M manual specifications. Documentation of both manufacturer and O&M manual operating pressure-drop specifications shall remain onsite at all times and shall be made available to Department representatives upon request.

[IDAPA 58.01.01.211]

**2.10 Scrubbing-Media Flow Rate**

The scrubbing-media flow rate to the Venturi wet scrubber shall be maintained within manufacturer and O&M manual specifications. Documentation of manufacturer and O&M manual operating scrubbing-media specifications shall remain onsite at all times and shall be made available to Department representatives upon request.

[IDAPA 58.01.01.211]

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

**Permittee:** Woods Crushing and Hauling, Inc.  
**Location:** Portable

**Date Issued:** JANUARY 16, 2003

***MONITORING AND RECORDKEEPING REQUIREMENTS***

**2.11 Operating Parameters**

The following parameters shall be monitored and recorded, and a compilation of the most recent five years of records shall be kept onsite and shall be made available to Department representatives upon request.

- Pressure drop across the Venturi wet scrubber once on a daily basis
- The scrubbing-media flow rate to the Venturi wet scrubber once on a daily basis
- HMA production in tons per day and tons per month

**[IDAPA 58.01.01.211]**

**2.12 Reasonable Control Measures**

The permittee shall conduct a weekly 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 weekly 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.

**[IDAPA 58.01.01.211]**

**2.13 Generator Rating**

The rating of the generator shall be 455 hp.

**[IDAPA 58.01.01.211]**

**2.14 40 CFR 60.93 Initial Performance Testing Requirements**

The permittee shall conduct a performance test on the HMA facility in accordance with 40 CFR 60.93, IDAPA 58.01.01.157, and General Provision 6 of this permit. The performance test shall be conducted to demonstrate compliance with the applicable PM standards defined in 40 CFR 60.92.

If the HMA has previously conducted a performance test in accordance with 40 CFR 60.93 which demonstrates compliance with the applicable standards, an additional performance test is not required by this permit condition. 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 Department representatives upon request.

**[40 CFR 60.93]**

**2.13 Opacity and Visible Emissions Testing**

The permittee shall conduct a visible emissions evaluation on the Venturi wet scrubber stack within 15 days of startup after relocation, in accordance with the procedures in IDAPA 58.01.01.625.

**[IDAPA 58.01.01.157]**

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

**Permittee:** Woods Crushing and Hauling, Inc.  
**Location:** Portable

**Date Issued:** JANUARY 16, 2003

**REPORTING REQUIREMENTS**

2.14 Performance Test Protocol

At least 30 days prior to conducting any emission test, the permittee is encouraged to submit a written performance test protocol to the Department in accordance with IDAPA 58.01.01.157.01.a.

[IDAPA 58.01.01.157]

2.15 Performance Test Report

In accordance with IDAPA 58.01.01.157.04, the permittee shall submit a written report of the performance test results to Department within 30 days of completion of the test.

[IDAPA 58.01.01.157]

2.16 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 (available on the Department website at: [www.state.id.us/deq/air/equip\\_relocat.htm](http://www.state.id.us/deq/air/equip_relocat.htm)) in accordance with IDAPA 58.01.01.500 to the following:

PERF Processing Unit  
Idaho Department of Environmental Quality  
Air Quality Division  
1410 N. Hilton  
Boise, ID 83706-1255

[IDAPA 58.01.01.500]

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

**Permittee:** Woods Crushing and Hauling, Inc.  
**Location:** Portable

**Date Issued:** JANUARY 16, 2003

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

The permittee shall comply with the requirements in Permit Condition 2 and the following permit conditions when the HMA facility is operated within the state of Idaho in any attainment or unclassifiable areas, and when it is not collocated.

[IDAPA 58.01.01.211]

**OPERATING REQUIREMENTS**

**3.1 Long-Term Source Facility Throughput Limits**

The production rate of the HMA facility shall not exceed a maximum of 4,792 T/day. In addition, when the HMA facility may operate for more than five years in one location, the production rate shall not exceed a maximum of 141,632 T/yr when located in any attainment or unclassifiable area.

[IDAPA 58.01.01.211]

**3.2 Long-Term Source Generator Hours of Operation**

The hours of operation for the generator(s) shall not exceed 19.2 hr/day when located in any attainment or unclassifiable area. When the HMA facility may operate for more than five years in one location, the hours of operation for the generator(s) shall not exceed 567 hr/yr when located in any attainment or unclassifiable area.

[IDAPA 58.01.01.211]

**3.3 Short-Term Source Annual Throughput Limits**

When operating as a short-term source (less than five years in one location), the production rate shall not exceed 1,392,820 T/yr when located in any attainment or unclassifiable area. When operating as a short-term source, the facility may not operate in the same location for a period exceeding five years.

[IDAPA 58.01.01.211]

**3.4 Short-Term Source Annual Generator Hours of Operation**

When operating as a short-term source (less than five years in one location), the hours of operation for the generator(s) shall not exceed 5,571 hr/yr when located in any attainment or unclassifiable area. When operating as a short-term source, the facility may not operate in the same location for a period exceeding five years.

[IDAPA 58.01.01.211]

**3.5 Collocation Requirements**

When the HMA facility is to be collocated with another portable HMA plant, rock-crushing plant, or concrete batch plant the permittee must comply with the collocation requirements of Permit Condition 4.

[IDAPA 58.01.01.211]

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

**Permittee:** Woods Crushing and Hauling, Inc.  
**Location:** Portable

**Date Issued:** JANUARY 16, 2003

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

The permittee shall comply with the requirements of Permit Condition 2 and the following permit conditions when the HMA facility is to be collocated with another portable HMA plant, rock-crushing plant, or concrete batch plant within the state of Idaho. The HMA facility may only collocate with either one portable rock-crushing plant, one portable concrete batch plant, or one other portable HMA plant which has been permitted to specifically allow collocation.

[IDAPA 58.01.01.211]

**OPERATING REQUIREMENTS**

**4.1 Collocation Areas**

The HMA 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.

[IDAPA 58.01.01.211]

**4.2 Number of Portable Sources**

The HMA facility may only collocate with either one portable rock-crushing plant, one portable concrete batch plant, or one other portable HMA plant. Each portable source must be permitted to specifically allow collocation.

[IDAPA 58.01.01.211]

**4.3 Long-Term Source Facility Throughput Limits**

The production rate of the HMA facility shall not exceed a maximum of 2,396 T/day. In addition, when the HMA facility may operate for more than five years in one location, the production rate shall not exceed a maximum of 70,816 T/yr when collocated with another HMA plant, concrete batch plant, or rock-crushing plant in any attainment or unclassifiable area.

[IDAPA 58.01.01.211]

**4.4 Long-Term Source Generator Hours of Operation**

When the HMA facility may operate for more than five years in one location, the hours of operation for the generator(s) shall not exceed 283 hr/yr when located in any attainment or unclassifiable area. The generator(s) shall not be operated more than 9.6 hr/day when collocated with another HMA plant, concrete batch plant, or rock-crushing plant in any attainment or unclassifiable area.

[IDAPA 58.01.01.211]

**4.5 Short-Term Source Annual Throughput Limits**

When operating as a short-term source (less than five years in one location), the production rate shall not exceed 696,410 T/yr when collocated with another HMA plant, concrete batch plant, or rock-crushing plant in any attainment or unclassifiable area. When operating as a short-term source, the facility may not operate in the same location for a period exceeding five years.

[IDAPA 58.01.01.211]

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

**Permittee:** Woods Crushing and Hauling, Inc.

**Date Issued:** JANUARY 16, 2003

**Location:** Portable

4.6 Short-Term Source Annual Generator Hours of Operation

When operating as a short-term source (less than five years in one location), the hours of operation for the generator(s) shall not exceed 2,786 hr/yr when collocated with another HMA plant, concrete batch plant, or rock-crushing plant in any attainment or unclassifiable area. When operating as a short-term source, the facility may not operate in the same location for a period exceeding five years.

[IDAPA 58.01.01.211]

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

**Permittee:** Woods Crushing and Hauling, Inc.  
**Location:** Portable

**Date Issued:** JANUARY 16, 2003

**5. PM<sub>10</sub> NONATTAINMENT AREA REQUIREMENTS**

The permittee shall comply with the requirements in Permit Condition 2 and the following permit conditions when the HMA facility is operated within the state of Idaho in any PM<sub>10</sub> nonattainment areas. While operating the HMA facility under the requirements set forth in Permit Condition 5, the HMA facility may not collocate with any other facility.

[IDAPA 58.01.01.211]

**OPERATING REQUIREMENTS**

**5.1 Long-Term Source Facility Throughput Limits**

The production rate of the HMA facility shall not exceed a maximum of 479 T/day. In addition, when the HMA facility may operate for more than five years in one location, the production rate shall not exceed a maximum of 141,632 T/yr when located in any PM<sub>10</sub> nonattainment area.

[IDAPA 58.01.01.211]

**5.2 Long-Term Source Generator Hours of Operation**

When the HMA facility may operate for more than five years in one location in any PM<sub>10</sub> nonattainment location, the hours of operation for the generator(s) shall not exceed 567 hr/yr. The generator(s) shall not be operated more than 1.9 hr/day when located in any PM<sub>10</sub> nonattainment area.

[IDAPA 58.01.01.211]

**5.3 Short-Term Source Annual Throughput Limits**

When operating as a short-term source (less than five years in one location), the production rate shall not exceed 174,922 T/yr when located in any PM<sub>10</sub> nonattainment area. When operating as a short-term source, the facility may not operate in the same location for a period exceeding five years.

[IDAPA 58.01.01.211]

**5.4 Short-Term Source Annual Generator Hours of Operation**

When operating as a short-term source (less than five years in one location), the hours of operation for the generator(s) shall not exceed 700 hr/yr when located in any PM<sub>10</sub> nonattainment area. When operating as a short-term source, the facility may not operate in the same location for a period exceeding five years.

[IDAPA 58.01.01.211]

**5.5 Collocation Requirements**

The HMA facility shall not be collocated with another portable HMA plant, rock-crushing plant, or concrete batch plant when located in any PM<sub>10</sub> nonattainment area or proposed PM<sub>10</sub> nonattainment area.

[IDAPA 58.01.01.211]

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

**Permittee:** Woods Crushing and Hauling, Inc.  
**Location:** Portable

**Date Issued:** JANUARY 16, 2003

**6. CARBON MONOXIDE NONATTAINMENT AREA REQUIREMENTS**

The permittee shall comply with the requirements in Permit Condition 2 and the following permit conditions when the HMA facility is operated within the state of Idaho in any CO nonattainment areas. While operating the HMA facility under the requirements set forth in Permit Condition 6, the HMA facility may not collocate with any other facility.

[IDAPA 58.01.01.211]

**OPERATING REQUIREMENTS**

**6.1 Long-Term Source Facility Throughput Limits**

The production rate of the HMA facility shall not exceed a maximum of 4,792 T/day. In addition, when the HMA facility may operate for more than five years in one location, the production rate shall not exceed a maximum of 141,632 T/yr when located in any CO nonattainment area.

[IDAPA 58.01.01.211]

**6.2 Long-Term Source Generator Hours of Operation**

When the HMA facility may operate for more than five years in one location, the hours of operation for the generator(s) shall not exceed 567 hr/yr when located in any CO nonattainment area. The generator(s) shall not be operated more than 19.2 hr/day when located in any CO nonattainment area.

[IDAPA 58.01.01.211]

**6.3 Short-Term Source Annual Throughput Limits**

When operating as a short-term source (less than five years in one location), the production rate shall not exceed 1,392,820 T/yr when located in any CO nonattainment area. When operating as a short-term source, the facility may not operate in the same location for a period exceeding five years.

[IDAPA 58.01.01.211]

**6.4 Short-Term Source Annual Generator Hours of Operation**

When operating as a short-term source (less than five years in one location), the hours of operation for the generator(s) shall not exceed 5,571 hr/yr when located in any CO nonattainment area. When operating as a short-term source, the facility may not operate in the same location for a period exceeding five years.

[IDAPA 58.01.01.211]

**6.5 Collocation Requirements**

The HMA facility shall not be collocated with another portable HMA plant, rock-crushing plant, or concrete batch plant when located in any CO nonattainment area or proposed CO nonattainment area.

[IDAPA 58.01.01.211]

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

**Permittee:** Woods Crushing and Hauling, Inc.  
**Location:** Portable

**Date Issued:** JANUARY 16, 2003

**7. PERMIT TO CONSTRUCT GENERAL PROVISIONS**

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., and the permittee is subject to penalties for each day of noncompliance.
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.
3. The permittee shall allow the Director, and/or the authorized representative(s), upon the presentation of credentials:
  - To enter, at reasonable times, upon the premises where an emissions source is located, or in which any records are required to be kept under the terms and conditions of this permit.
  - 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 emissions testing in conformance with IDAPA 58.01.01.157 when deemed appropriate by the Director.
4. 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.
5. The permittee shall notify the Department, in writing, of the required information for the following events within five working days after occurrence:
  - Initiation of Construction - Date
  - Completion/Cessation of Construction - Date
  - Actual Production Startup - Date
  - Initial Date of Achieving Maximum Production Rate - Production Rate and Date
6. *If compliance testing is specified, the permittee must schedule and perform such testing within 60 days after achieving the maximum production rate, and not later than 180 days after initial startup. This requirement shall be construed as an ongoing requirement. The permittee shall not operate the source without testing within 180 days. If testing is not conducted within 180 days after initial startup, then each day of operation thereafter without the required source test constitutes a violation. Such testing must **strictly** adhere to the procedures outlined in IDAPA 58.01.01.157 and shall not be conducted on weekends or state holidays without prior written approval from the Department. Testing procedures and specific time limitations may be modified by the Department by prior negotiation if conditions warrant adjustment. The Department shall be notified at least 15 days prior to the scheduled compliance test. Any records or data generated as a result of such compliance test made available to the Department upon request.*

**AIR QUALITY PERMIT TO CONSTRUCT No.: 777-00230**

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**Location:** Portable

The maximum allowable operating rate shall be limited to 120% of the average operating rate attained during any compliance test period, for which a test protocol has been granted prior approval by the Department, 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 emissions limit(s) set forth in this permit.

7. 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.
8. In accordance with IDAPA 58.01.01.123, all documents submitted to the department, 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.