STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Brad Little, Governor
John Tippets, Director

April 13, 2020

Brenda Rasmussen
Avail Valley Construction-WY LLC
P.O. Box 729
Afton, WY 83110

RE: Facility ID No. 777-00329, Avail Valley Construction-WY LLC, City
PR-2008.0137, Permit by Rule Registration Notification
Portable Rock Crushing Facility

Dear Ms.Rasmussen:

The Department of Environmental Quality (DEQ) received a Permit by Rule Registration form on April 6, 2020, for a portable Nonmetallic Mineral Processing Plant from Avail Valley Construction-WY LLC. The registration is for the following equipment, which includes all equipment currently registered for Facility ID No. 777-00329:

**Initial Crushers and Grinding Mills**[1]

**Primary Crushers**

| | |
|---|---|
| Manufacturer: | Kolberg |
| Type: | Jaw |
| Serial No.: | PC265040317 |
| Capacity (T/hr): | 300 |
| Year of Mfr.: | 2017 |

**Primary Crusher Total Capacity (T/hr)**[2]

300

**Secondary Crushers and Grinding Mills**

**Secondary Crushers**

| | |
|---|---|
| Manufacturer: | JCI |
| Type: | Cone |
| Serial No.: | C110653 |
| Capacity (T/hr): | unknown |
| Year of Mfr.: | 2011 |

| | |
|---|---|
| Manufacturer: | JCI |
| Type: | Cone |
| Serial No.: | C130805/ 7425 |
| Capacity (T/hr): | unknown |
| Year of Mfr.: | unknown |

**Screen Decks**

| | |
|---|---|
| Manufacturer: | JCI |
| Size: | 6 x 16’ |
| No. of Decks: | 2 |
| Serial No.: | 4860S16589 |
| Year of Mfr.: | 2017 |

| | |
|---|---|
| Manufacturer: | JCI |
| Size: | 7 x 20’ |
| No. of Decks: | 3 |
| Serial No.: | S082233 |
| Year of Mfr.: | 2008 |

| | |
|---|---|
| Manufacturer: | JCI |
| Size: | 7 x 20’ |
| No. of Decks: | 3 |
| Serial No.: | S112728 |
| Year of Mfr.: | 2012 |

| | |
|---|---|
| Manufacturer: | Astec |
| Size: | 4 x 20’ |
| No. of Decks: | 2 |
| Serial No.: | 133791 |
| Year of Mfr.: | Unknown |

**Electrical Generators**

**Primary Generators**

| | |
|---|---|
| Manufacturer: | Caterpillar |
| Output (kW): | 725 |
| Fuel: | No. 2 oil |

| | |
|---|---|
| Manufacturer: | Caterpillar |
| Output (kW): | 400 |
| Fuel: | No. 2 oil |

[1] Per 40 CFR 60.671, Capacity means the cumulative rated capacity of all initial crushers that are part of the plant. Initial crusher means any crusher into which nonmetallic minerals can be fed without prior crushing in the plant.

[2] T/hr = tons per hour

This registration for Permit by Rule is effective immediately, and replaces Permit by Rule registration PR-2008.0137 issued to Kilroy LLC on September 4, 2008. We recommend that you maintain a copy of this letter at all sites where the registered equipment is being operated or stored.

Please be advised that the equipment operation, monitoring, and recordkeeping for this portable rock crushing equipment must comply at all times with the Rules for the Control of Nonmetallic Mineral Processing Plants in accordance with IDAPA 58.01.01.790 through 802 and the applicable portions of 40 CFR 60 Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants. A copy of IDAPA 58.01.01.790 through 802 is attached. The text for 40 CFR 60 Subpart OOO may be viewed at www.ecfr.gov (browse to Title 40, Part 60.670). A description of the portable rock crusher PBR program and links to PBR guidance and forms for registration, relocation, and operations monitoring are provided on DEQ's website at:

http://www.deq.idaho.gov/permitting/air-quality-permitting/permit-by-rule.aspx

EPA has amended 40 CFR 60 Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants for affected facilities which commence construction, modification, or reconstruction on or after April 22, 2008. These amendments include additional testing and monitoring, and changes to definitions and various other clarifications. These amendments were Incorporated by Reference into IDAPA 58.01.01.790 through 802 (Rules for the Control of Air Pollution in Idaho) on March 25, 2016. You must be in compliance with the applicable portions of 40 CFR 60 Subpart OOO, including the requirement to conduct opacity testing on any new, modified, or reconstructed equipment within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup.

In order to fully understand the compliance requirements of this Permit by Rule and the requirements of 40 CFR 60 Subpart OOO, DEQ highly recommends that you schedule a meeting with Melissa Gibbs, Air Quality Compliance Officer, at (208) 236-6160 to review and discuss the terms and conditions of this Permit by Rule. 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.

**Other Air Quality Requirements**

You will be required to submit a portable equipment relocation form each time the plant is moved to a new site of operations. DEQ requires that this form be submitted at least ten days prior to relocating the equipment. A copy of the form is enclosed for your convenience. You are also required to log the hours of operation for any electrical generator used, log all fugitive dust complaints, and log all triggers that initiate fugitive dust control. A copy of each of those forms is also enclosed. If you have questions regarding this Permit by Rule process, please contact Morrie Lewis (208) 373-0502 or Morrie.Lewis@deq.idaho.gov.

Sincerely,

Mike Simon
Stationary Source Program Manager
Air Quality Division

MS/ml

PR-2008.0137 PROJ 62420

Enclosures

**DEQ AIR QUALITY PROGRAM**
1410 N. Hilton, Boise, ID 83706

**Rock Crusher Portable Equipment Relocation Form (RCPERF) - Form RCPERF**
2/13/2020

***Form must be submitted ten (10) days before plant is relocated. (IDAPA 58.01.01.500.01)***

## Company Information

1. Company Name:
2. Mailing Address (street/city/state/zip):
3. Company Contact Name & Title:
4. Company Contact Phone:
5. Responsible Official Name & Title:
6. Responsible Official Signature: _____ Date:

*In accordance with IDAPA 58.01.01.123 (Rules for the Control of Air Pollution in Idaho), by signing, I certify based on information and belief formed after reasonable inquiry, the statements and information in this document(s) are true, accurate, and complete. (The responsible official is defined in IDAPA 58.01.01.006.99.)*

## Equipment

7. Facility ID: (This number can be found on the first page of your DEQ PBR.)

8. Registered Equipment to be Relocated (if the equipment is registered under only one PBR, skip section 8):

☐ This RCPERF is updating an existing RCPERF at this same site.

ROCK CRUSHERS AND GRINDING MILLS:

| **Crusher/ Grinding Mill Type** (jaw, cone, rod mill, etc.) | **Crusher Classification** (Check one) | | | **Manufacturer** | **Serial No. / Equipment ID No.** |
|---|---|---|---|---|---|
| | ***Primary*** | ***Secondary*** | ***Tertiary*** | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |
| | ☐ | ☐ | ☐ | | |

SCREEN DECKS:

| **Manufacturer** | **Physical Size** (length x width) | **No. of Decks** | **Serial No. / Equipment ID No.** |
|---|---|---|---|
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ELECTRICAL GENERATOR(S):

| **Manufacturer** (Caterpillar, Onan, etc.) | **Rated Output** (kW) | **Fuel Type** (Grade 1 or 2 Fuel Oil) |
|---|---|---|
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**Comments:**

## Current Location

9. Current Idaho County: 10. Nearest City:

11. GPS Coordinates (Decimal Degrees): Latitude: Longitude:

12. Describe Current Location: ■ In Storage/Idle ☐ Out Of State ☐ Other

If Other, Describe:

13. How long has plant operated at current location?

## New Location

14. New Idaho County:

15. Nearest City

16. GPS Coordinates (Decimal Degrees): Latitude: Longitude:

17. Describe New Location: ☐ In Storage/Idle ☐ Out Of State ☐ Other

If Other,

18. Estimated Start Date: 19. Estimated End Date:

**SUBMIT:**

Print Form

**via E-mail:**
aqperf@deq.idaho.gov
Subject: PERF Submittal
Complete form, sign it, and attach to E-mail

**or via FAX:**
208-373-0340
To: Air Quality Program
Regarding: PERF Submittal

**or via Mail:**
Air Quality - PERF Processing
Dept. of Environmental Quality 1410 North Hilton
Boise, ID 83706-1255

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

# PERMIT BY RULE
# FOR NONMETALLIC MINERAL PROCESSING PLANTS

## ELECTRICAL GENERATOR MONITORING FORM

Electrical Generator Serial Number:_____

Rated Output Capacity (kW):_____

| Calendar Year: | | |
|---|---|---|
| **Month** | **Hours Operated per Month** | **Hours Operated Year to Date** |
| | | |
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IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

# PERMIT BY RULE
# FOR NONMETALLIC MINERAL PROCESSING PLANTS

## CONTROL STRATEGY TRIGGER MONITORING FORM

| Date of Trigger | Fugitive Dust Emission Source | Control Strategy Trigger | Summary of Correction Action Taken |
|---|---|---|---|
| | | | |
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IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

# PERMIT BY RULE
# FOR NONMETALLIC MINERAL PROCESSING PLANTS

## COMPLAINT RECEIPT MONITORING FORM

| Date Complaint Received | Fugitive Dust Emission Source | Control Strategy Trigger | Evaluation of Whether the Complaint had Merit | Summary of Correction Action Taken |
|---|---|---|---|---|
| | | | | |
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**02. Restrictions on Rendering Plants.** No person shall allow, suffer, cause or permit any plant engaged in the processing of animal, mineral, or vegetable matter or chemical processes utilizing animal, mineral or vegetable matter to be operated without employing reasonable measures for the control of odorous emissions including wet scrubbers, incinerators, chemicals or such other measures as may be approved by the Department. (5-1-94)

**777. -- 784. (RESERVED)**

**785. RULES FOR CONTROL OF INCINERATORS.**
The purpose of Sections 785 through 788 is to prevent excessive emissions of particulate matter from incinerators. (5-1-94)

**786. EMISSION LIMITS.**

**01. General Restrictions.** No person shall allow, suffer, cause or permit any incinerator to discharge more than two-tenths (0.2) pounds of particulates per one hundred (100) pounds of refuse burned. (4-5-00)

**02. Averaging Period.** For the purposes of Section 786, emissions shall be averaged according to the following, whichever is the lesser period of time: (4-5-00)

**a.** One (1) complete cycle of operation; or (4-5-00)

**b.** One (1) hour of operation representing worst-case conditions for the emissions of particulate matter. (4-5-00)

**03. Test Methods and Procedures.** The appropriate test method under Sections 785 thought 788 shall be EPA Method 5 contained in 40 CFR Part 60 or such comparable and equivalent methods approved in accordance with Subsection 157.02.d. Test methods and procedures shall comply with Section 157. (4-5-00)

**787. EXCEPTIONS.**
Sections 785 and 786 do not apply to wigwam burners. (3-23-98)

**788. -- 789. (RESERVED)**

**790. RULES FOR THE CONTROL OF NONMETALLIC MINERAL PROCESSING PLANTS.**
The purpose of Sections 790 through 799 is to set forth the requirements for nonmetallic mineral processing plants, frequently referred to as rock crushers. Definitions specific to nonmetallic mineral processing permits are located in Section 011 while other general terms may be defined in Sections 006 through 008. Compliance with Section 790 does not relieve the owner or operator of a nonmetallic mineral processing plant from the responsibility of complying with other federal, state, and local applicable laws, regulations, and requirements. (3-15-02)

**791. GENERAL CONTROL REQUIREMENTS.**

**01. Prohibition.** No owner or operator of a nonmetallic mineral processing plant shall allow, suffer, or cause the emissions of any air pollutant to the atmosphere in such quantity of such nature and duration and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property. (3-15-02)

**02. Control of Fugitive Dust.** In accordance with Sections 650 and 651, owners and operators of nonmetallic mineral processing plants shall take all reasonable precautions to prevent the generation of fugitive dust. In determining what is reasonable, consideration will be given to factors such as the proximity to human habitations and/or activities and atmospheric conditions which might affect the movement of particulate matter. (3-15-02)

**792. EMISSIONS STANDARDS FOR NONMETALLIC MINERAL PROCESSING PLANTS SUBJECT TO 40 CFR 60, SUBPART OOO.**

**01. Applicability and Designation of Affected Facilities.** The provisions of 40 CFR 60.670(a)(1) are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants that commence construction, modification, or reconstruction after August 31, 1983: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including the first storage silo or bin, are subject to the provisions of 40 CFR 60.670(a)(1). (4-4-13)

**02. Facilities Not Applicable to 40 CFR 60.670(a)(2), (b), and (c).** The provisions of 40 CFR 60.670(a)(2), (b), and (c) do not apply to the following operations: all facilities located in underground mines, plants without crushers or grinding mills above ground, and wet processing operations (as defined in 40 CFR 60.671). (4-4-13)

**a.** An affected facility that is subject to the provisions of 40 CFR 60, Subpart F (Standards of Performance for Portland Cement Plants) or Subpart I (Standards of Performance for Hot Mix Asphalt Plants) or that follows the in plant process any facility subject to the provisions of 40 CFR 60, Subparts F or I, is not subject to the provisions of 40 CFR 60, Subpart OOO. (4-4-13)

**b.** Facilities at the following plants are not subject to the provisions of 40 CFR 60, Subpart OOO: (4-4-13)

i. Fixed sand and gravel plants and crushed stone plants with capacities, as defined in 40 CFR 60.671, of twenty-three (23) megagrams per hour (twenty-five (25) tons per hour) or less; (4-4-13)

ii. Portable sand and gravel plants and crushed stone plants with capacities, as defined in 40 CFR 60.671, of one hundred thirty-six (136) megagrams per hour (one hundred fifty (150) tons per hour) or less; and (4-4-13)

iii. Common clay plants and pumice plants with capacities, as defined in 40 CFR 60.671, of nine (9) megagrams per hour (ten (10) tons per hour) or less. (4-4-13)

**03. Standards of Performance for Nonmetallic Mineral Processing Plants.** Affected facilities subject to 40 CFR 60, Subpart OOO, shall comply with all applicable emissions standards, monitoring requirements, test methods and procedures, and reporting and recordkeeping requirements. (4-4-13)

## 793. EMISSIONS STANDARDS FOR NONMETALLIC MINERAL PROCESSING PLANTS NOT SUBJECT TO 40 CFR 60, SUBPART OOO.

Owners and operators of nonmetallic mineral processing plants that are not subject to a NSPS requirement shall comply with the emissions standards set forth in Section 793. (3-15-02)

**01. Processing Plants Not Regulated by NSPS.** Fixed or portable plants that commenced construction, reconstruction, or modification before August 31, 1983 are not subject to 40 CFR 60, Subpart OOO. (3-15-02)

**02. Emissions Standards for Fugitive Emissions.** No owner or operator shall cause to be discharged into the atmosphere emissions which exhibit greater than twenty percent (20%) opacity from any crusher, grinding mill, screening operation, bucket elevator, belt conveyor, conveying system, transfer point, vent, capture system, storage bin, stockpile, truck dumping operation, vehicle traffic on an affected paved public roadway, vehicle traffic on or wind erosion of an unpaved haul road, or other source of fugitive emissions. Opacity shall be determined using the test methods and procedures in Section 625. The plant is not required to have a certified opacity reader. (3-15-02)

## 794. PERMIT REQUIREMENTS.

No owner or operator may commence construction, reconstruction, modification or operation of any nonmetallic mineral processing plant regardless of whether or not the source is an affected facility pursuant to 40 CFR 60.670(e) without first obtaining a permit or complying with Sections 795 through 799. The owner or operator shall comply with the permitting requirements of Subsection 794.02 or Subsection 794.03 and the applicable portions of Subsection 794.04 and/or Subsection 794.05. (4-11-15)

**01. Permit by Rule Eligibility.** New major facilities or major modifications subject to Sections 204 and 205 are not eligible for a Permit by Rule. (4-11-15)

**02. Permit by Rule.** Owners and operators of nonmetallic mineral processing plants that meet all of the applicable requirements set forth in Sections 795 through 799 shall be deemed to have a permit by rule (PBR) and shall not be required to obtain a permit to construct under Sections 200 through 228. (3-15-02)

**03. Permit to Construct.** Owners and operators of nonmetallic mineral processing plants that do not meet all of the requirements set forth in Sections 795 through 799, or that operate or intend to operate a nonmetallaic mineral processing plant at a single site of operations for more than twelve (12) consecutive months, or that choose to construct and operate under specific permit requirements rather than the provisions of the permit by rule shall obtain a permit to construct pursuant to Sections 200 through 228. An existing permit to construct shall be considered valid until the permit is modified, incorporated into a Tier II operating permit, or terminated by the Department. Existing permits to construct may be terminated by the Department by registering the source under the permit by rule provisions in accordance with Section 797 after June 15, 2001. (3-15-02)

**04. Tier I Operating Permits.** Owners and operators of nonmetallic mineral processing plants that are affected facilities subject to a requirement of the New Source Performance Standards (NSPS) in 40 CFR 60 are Tier I sources as defined in Section 006. Tier I sources must comply with the applicable permitting requirements of Sections 300 through 399. (4-11-06)

**05. Tier II Operating Permits.** Owners and operators of nonmetallic mineral processing plants that are required by the Department or choose to obtain a Tier II operating permit pursuant to Sections 400 through 410 shall operate in accordance with the specific provisions of the Tier II operating permit until such time as the operating permit is terminated in writing by the Department. The Department may require owners and operators of nonmetallic mineral processing plants to obtain a Tier II operating permit whenever the Department determines that: (3-15-02)

**a.** Emission rate reductions are necessary to attain or maintain any ambient air quality standard or applicable prevention of significant deterioration (PSD) increment; or (3-15-02)

**b.** Specific emissions standards, or requirements on operation or maintenance are necessary to ensure compliance with any applicable emission standard or rule. (3-15-02)

## 795. PERMIT BY RULE REQUIREMENTS.

The purpose of Sections 795 through 799 is to establish the requirements for a permit by rule for nonmetallic mineral processing plants. (3-15-02)

## 796. APPLICABILITY.

**01. Permit by Rule.** Owners and operators of nonmetallic mineral processing plants shall be deemed to have a permit by rule if they comply with all of the applicable provisions of Sections 795 through 799. Nothing in Sections 795 through 799 shall preclude any owner or operator from obtaining a permit. Portable sources that operate or may be operated at a single location or site of operations for more than twelve (12) consecutive months must obtain a permit to construct or a Tier II operating permit. (3-15-02)

**02. Permit Option.** Owners and operators of nonmetallic mineral processing plants that hold a valid permit to construct or a Tier II operating permit must comply with the terms and conditions of the permit and are not subject to the requirements of the permit by rule in Sections 795 through 799. (3-15-02)

## 797. REGISTRATION FOR PERMIT BY RULE.

**01. Registration Process.** Any owner or operator of a nonmetallic mineral processing plant that opts to operate under the permit by rule shall register in the following manner: (3-15-02)

**a.** Any new or modified processing plant shall register fifteen (15) days prior to commencing operation or modification. The Department shall acknowledge registration in writing within fifteen (15) days.

(3-15-02)

b. Any permitted processing plant shall register with the Department and request termination of the current permit to construct or Tier II operating permit. The Department shall normally act on the request within fifteen (15) days and notify the registrant in writing. (3-15-02)

Registration for permit by rule does not relieve the owner or operator of portable equipment from the registration and relocation requirements of Section 500. (3-15-02)

02. **Registration Information**. The following information shall be provided by the registrant to the Department: (3-15-02)

a. For all crushers and grinding mills, the registrant shall supply information on the manufacturer, crusher type (such as jaw, cone), serial number, date of manufacture, and maximum throughput capacity; (3-15-02)

b. For all screen decks, the registrant shall supply manufacturer name, physical size of screen, number of decks, serial number, and date of manufacture; and (3-15-02)

c. For all electrical generators, the registrant shall supply manufacturer name, rated output, and fuel. (3-15-02)

## 798. ELECTRICAL GENERATORS.

The following requirements apply to all electrical generators used to provide electrical power to any nonmetallic mineral processing plant. The requirements apply to each site of operations. (3-15-02)

01. **Fuel Type**. Only ASTM (American Society of Testing and Materials) Grade 1 or 2 fuel oil shall be used. The sulfur content of the fuel used shall not exceed the percentages of sulfur given in Section 725. (5-8-09)

02. **Generator Operating Requirements**. For the purposes of Sections 790 through 799, the following apply to all electrical generators.

| Rated Output Capacities (kW) | Allowable Operating Hours (hr/day) | | Allowable Operating Hours (hr/yr) | |
|---|---|---|---|---|
| | Attainment Unclassifiable Areas | PM-10 Nonattainment Areas | Attainment Unclassifiable Areas | PM-10 Nonattainment Areas |
| 0 - 454 | 24 | 8 | 8760 | 2880 |
| 455 - 1000 | 24 | 24 | 8760 | 8760 |
| 1001 - 2000 | 24 | 24 | 5200 | 5200 |

kW = kilowatts
hr/day = hours per day
hr/yr = hours per year (3-15-02)

03. **Generator Opacity Limit**. Visible emissions from any generator 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. Opacity shall be determined using the test methods and procedures contained in Section 625. (3-15-02)

04. **Monitoring and Recordkeeping Requirements.** (3-15-02)

a. The owner or operator shall monitor and record the following information. (3-15-02)

i. The rated output capacity, in kilowatts (kW), of the electrical generator(s) used; (3-15-02)

ii. Operating hours on a monthly and annual basis so compliance can be continuously determined for the previous twelve (12) month period; and (3-15-02)

iii. Vendor receipts of the fuel oil purchased clearly identifying the ASTM Grade. (3-15-02)

**b.** Records of monitoring and recordkeeping requirements for current operations shall be maintained at the site of operations for the duration of operations at that location and shall be available to Department representatives upon request. Records for previous sites of operation shall be kept for the most recent two (2) year period at a location where they can be reasonably accessed and shall be made available to the Department upon request. (3-15-02)

## 799. NONMETALLIC MINERAL PROCESSING PLANT FUGITIVE DUST BEST MANAGEMENT PRACTICE.

The owner or operator of a nonmetallic mineral processing plant shall use the Best Management Practices (BMP) contained in Section 799 to control the emissions of fugitive dust. Fugitive dust emissions shall be reasonably controlled as required by Sections 650 and 651. It shall be the responsibility of the owner or operator to reasonably control fugitive emissions at each site of operations but only for the duration of operations at each site under the control of the owner or operator. (3-15-02)

**01. Generally Applicable Requirements.** All reasonable precautions shall be taken to prevent particulate matter from becoming airborne. The following requirements apply generally to this Fugitive Dust BMP. (3-15-02)

**a.** Control strategy triggers. The owner or operator of a nonmetallic mineral processing plant shall at all times be observant of all sources of fugitive dust emissions and monitor control strategies at least once per day when operating. When fugitive dust emissions are observed at any time to be exceeding any control strategy trigger specified in Subsections 799.02 through 799.06, that event shall trigger initiation of the prescribed control strategy or control strategies to control the fugitive dust emissions. (3-15-02)

**b.** Control strategies. A progressive control strategy shall be used to reasonably control the emissions of fugitive dust. Progressive control strategy means that if the initial control strategy or strategies chosen do not adequately control fugitive dust emissions, the owner or operator shall employ successive control strategies as listed until fugitive dust control is achieved. Fugitive dust control shall be applied on a frequency such that visible emissions do not exceed any emission standard specified in Sections 790 through 799. (3-15-02)

**c.** Monitoring and recordkeeping. The owner or operator shall maintain a record of each event where a control strategy is triggered. The trigger shall be recorded with a summary of the control strategy employed. If the trigger is a citizen complaint, the owner or operator shall record the complaint, an evaluation of whether the complaint has merit, and a summary of the corrective action taken. The record shall be maintained on forms provided by the Department or other forms that contain similar information. Records for current operations shall be maintained at the site of operations for the duration of operations at that location and shall be available to Department representatives upon request. Records for previous sites of operation shall be kept for the most recent two (2) year period at a location where they can be reasonably accessed and shall be made available to the Department upon request. (3-15-02)

**02. Requirements for Paved Public Roadways.** (3-15-02)

**a.** Definitions. (3-15-02)

i. Paved public roadway. A paved public roadway means a roadway accessible to the general public having a surface of asphalt or concrete. (3-15-02)

ii. Track-out. Track-out means the deposition of mud, dirt, or similar debris onto the surface of a paved public roadway from the tires and/or undercarriage of any vehicle associated with the operation of a nonmetallic mineral processing plant. (3-15-02)

**b.** Control strategy triggers. Triggers that require initiation of a strategy or strategies to control fugitive dust emissions from track-out include, but are not limited to: (3-15-02)

i. Visible deposition of mud, dirt, or similar debris on the surface of a paved public roadway. (3-15-02)

ii. Visible fugitive emissions from vehicle traffic on an affected paved public roadway that approach twenty percent (20%) opacity for a period or periods aggregating more than one (1) minute in any sixty (60) minute period. (3-15-02)

iii. Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the owner or operator for merit. If the owner or operator determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. The Department may review the complaint records and investigate citizen complaints as appropriate. If the Department finds that a complaint has merit, it may determine additional control measures are required. (3-15-02)

**c.** Control strategies. The following are control strategies for track-out. (3-15-02)

i. Prompt removal of mud, dirt, or similar debris from the affected surface of a paved public roadway. (3-15-02)

ii. Water flush, and/or water flush and vacuum sweep, the affected surface of the paved public roadway. Runoff shall be controlled so it does not saturate the surface of the adjacent unpaved haul road such that track-out is enhanced. If runoff is not, or cannot be controlled, gravel shall be applied to the surface of the adjacent unpaved haul road over an area sufficient to control track-out. (3-15-02)

iii. Apply gravel to the surface of the adjacent unpaved haul road. The area of application shall be sufficient to control track-out. (3-15-02)

iv. Apply an environmentally safe chemical soil stabilizer or chemical dust suppressant to the surface of the adjacent unpaved haul road. The area of application shall be sufficient to control track-out. (3-15-02)

v. Other control strategy or strategies as approved by the Department. (3-15-02)

**03. Requirements for Unpaved Haul Roads.** (3-15-02)

**a.** Definition of "unpaved haul roads." Any unsurfaced roadway within the physical boundary of a nonmetallic mineral processing facility that is used as a haul road, access road, or similar. (3-15-02)

**b.** Control strategy triggers. Triggers that require initiation of a strategy or strategies to control fugitive dust emissions from unpaved haul roads include, but are not limited to: (3-15-02)

i. Visible fugitive emissions from vehicle traffic on an affected paved public roadway that approach twenty percent (20%) opacity for a period or periods aggregating more than one (1) minute in any sixty (60) minute period. (3-15-02)

ii. Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the owner or operator for merit. If the owner or operator determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. The Department may review the complaint records and investigate citizen complaints as appropriate. If the Department finds that a complaint has merit, it may determine additional control measures are required. (3-15-02)

**c.** Control strategies. The following are control strategies for fugitive dust emissions from unpaved haul roads. (3-15-02)

i. Limit vehicle traffic on unpaved haul roads. (3-15-02)

ii. Limit vehicle speeds on unpaved haul roads. If a speed limit is imposed, signs shall be posted along the haul road route and clearly indicate the speed limit. Signs shall be placed so they are visible to vehicles entering and leaving the site of operations. (3-15-02)

iii. Apply water to the surface of the unpaved haul road. Runoff shall be controlled so it does not saturate the surface of the unpaved haul road such that it causes track-out. If runoff is not, or cannot be controlled, gravel shall be applied to the surface of the unpaved haul road over an area sufficient to control track-out. (3-15-02)

iv. Apply gravel to the surface of the unpaved haul road. (3-15-02)

v. Apply an environmentally safe chemical soil stabilizer or chemical dust suppressant to the surface of the unpaved haul road. (3-15-02)

vi. Other control strategy or strategies as approved by the Department. (3-15-02)

**04. Requirements for Transfer Points, Screening Operations, and Stacks and Vents.** (3-15-02)

**a.** Definitions. (3-15-02)

i. Transfer point. Transfer point means a point in a conveying operation where the nonmetallic mineral is transferred to or from a belt conveyor except where the nonmetallic mineral is being transferred to a stockpile. (3-15-02)

ii. Belt conveyor. Belt conveyor means a conveying device that transports material from one (1) location to another by means of an endless belt that is carried on a series of idlers and routed around a pulley at each end. (3-15-02)

iii. Conveying system. Conveying system means a device for transporting materials from one (1) piece of equipment or location to another location within a plant. Conveying systems include but are not limited to the following: feeders, belt conveyors, bucket elevators and pneumatic systems. (3-15-02)

iv. Bucket elevator. Bucket elevator means a conveying device of nonmetallic minerals consisting of a head and foot assembly which supports and drives an endless single or double strand chain or belt to which buckets are attached. (3-15-02)

v. Screening operation. Screening operation means a device for separating material according to size by passing undersize material through one (1) or more mesh surfaces (screens) in series, and retaining oversize material on the mesh surfaces (screens). (3-15-02)

vi. Capture system. Capture system means the equipment (including enclosures, hoods, ducts, fans, dampers, etc.) used to capture and transport particulate matter generated by one (1) or more process operations to a control device. (3-15-02)

vii. Control device. Control device means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere from one (1) or more process operations at a nonmetallic mineral processing plant. (3-15-02)

viii. Vent. Vent means an opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one (1) or more affected facilities. (3-15-02)

**b.** Control strategy triggers. Triggers that require initiation of a strategy or strategies to control fugitive dust emissions from transfer points, belt conveyors, bucket elevators, screening operations, conveying systems, capture systems, and building vents include, but are not limited to, the following: (3-15-02)

i. NSPS regulated processing plants. (3-15-02)

(1) Opacity greater than ten percent (10%) from any transfer point on a belt conveyor, conveying system, bucket elevator, or screening operation. (3-15-02)

(2) For any transfer point on a belt conveyor, conveying system, bucket elevator, or screening operation located within a building, opacity greater than seven percent (7%) from any building vent. (3-15-02)

(3) Opacity greater than seven percent (7%) from any capture system stack. (3-15-02)

(4) Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the owner or operator for merit. If the owner or operator determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. The Department may review the complaint records and investigate citizen complaints as appropriate. If the Department finds that a complaint has merit, it may determine additional control measures are required. (3-15-02)

ii. Processing plants not regulated by NSPS. (3-15-02)

(1) Opacity greater than twenty percent (20%) from any transfer point on a belt conveyor, conveying system, bucket elevator, or screening operation. (3-15-02)

(2) For any transfer point on a belt conveyor, conveying system, bucket elevator, or screening operation located within a building, opacity greater than twenty percent (20%) from any building vent. (3-15-02)

(3) Opacity greater than twenty percent (20%) from any capture system stack. (3-15-02)

(4) Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the owner or operator for merit. If the owner or operator determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. The Department may review the complaint records and investigate citizen complaints as appropriate. If the Department finds that a complaint has merit, it may determine additional control measures are required. (3-15-02)

**c.** Control Strategies. The following are control strategies for transfer points, belt conveyors, bucket elevators, screening operations, conveying systems, capture systems, and building vents. Controls shall be applied on a frequency such that visible fugitive emissions do not exceed any applicable opacity limit. (3-15-02)

i. Limit drop heights of materials such that there is a homogeneous flow of material. (3-15-02)

ii. Install, operate, and maintain water spray bars to control fugitive dust emissions at transfer points on belt conveyors, conveying systems, bucket elevators, and screening operations as necessary. (3-15-02)

iii. Other control strategy or strategies as approved by the Department. (3-15-02)

**05. Requirements for Crushers and Grinding Mills.** (3-15-02)

**a.** Definitions. (3-15-02)

i. Crusher. Crusher means a machine used to crush any nonmetallic mineral, and includes, but is not limited to, the following types: jaw, gyratory, cone, roll, rod mill, hammermill, and impactor. (3-15-02)

ii. Grinding mill. Grinding mill means a machine used for the wet or dry fine crushing of any nonmetallic mineral. Grinding mills include, but are not limited to, the following types: hammer, roller, rod, pebble and ball, and fluid energy. The grinding mill includes the air conveying system, air separator, or air classifier, where such systems are used. (3-15-02)

iii. Initial crusher. Initial crusher means any crusher into which nonmetallic minerals can be fed without prior crushing in the plant. (3-15-02)

**b.** Control strategy triggers. Triggers that require initiation of a strategy or strategies to control fugitive dust emissions from any crusher, grinding mill, building vent, or capture system stack include, but are not limited to, the following. (3-15-02)

i. NSPS regulated processing plants. (3-15-02)

(1) Opacity greater than fifteen percent (15%) from any crusher or grinding mill at which capture system is not used. (3-15-02)

(2) For any crusher or grinding mill located within a building, opacity greater than seven percent (7%) from any building vent. (3-15-02)

(3) Opacity greater than seven percent (7%) from any capture system stack. (3-15-02)

(4) Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the owner or operator for merit. If the owner or operator determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. The Department may review the complaint records and investigate citizen complaints as appropriate. If the Department finds that a complaint has merit, it may determine additional control measures are required. (3-15-02)

ii. Processing plants not regulated by NSPS. (3-15-02)

(1) Opacity greater than twenty percent (20%) from any crusher or grinding mill at which capture system is not used. (3-15-02)

(2) For any crusher or grinding mill located within a building, opacity greater than twenty percent (20%) from any building vent. (3-15-02)

(3) Opacity greater than twenty percent (20%) from any capture system stack. (3-15-02)

(4) Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the owner or operator for merit. If the owner or operator determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. The Department may review the complaint records and investigate citizen complaints as appropriate. If the Department finds that a complaint has merit, it may determine additional control measures are required. (3-15-02)

**c.** Control strategies. The following are control strategies for any crusher, grinding mill, building vent, or capture system stack. Controls shall be applied on a frequency such that visible fugitive emissions do not exceed any applicable opacity limit. (3-15-02)

i. Limit drop heights of materials such that there is a homogeneous flow of material. (3-15-02)

ii. Install, operate, and maintain water spray bars to control fugitive dust emissions at crusher drop points as necessary. (3-15-02)

iii. Other control strategy or strategies as approved by the Department. (3-15-02)

**06. Requirements for Stockpiles.** (3-15-02)

**a.** Definitions. (3-15-02)

i. Stockpile. Stockpile means any nonmetallic mineral storage pile, reserve supply, or similar. Nonmetallic minerals shall have the meaning given in 40 CFR Part 60, Subpart OOO. Nonmetallic minerals may be stockpiled by belt conveyor, truck dumping, or similar. (3-15-02)

ii. Truck dumping. Truck dumping means the unloading of nonmetallic minerals from movable vehicles designed to transport nonmetallic minerals from one (1) location to another. Movable vehicles include but

are not limited to: trucks, front-end loaders, skip hoists, and railcars. (3-15-02)

b. Control strategy triggers. Triggers that require immediate initiation of a strategy or strategies to control fugitive dust emissions from stockpiles include, but are not limited to: (3-15-02)

i. Visible fugitive emissions from wind erosion of any stockpile that approaches twenty percent (20%) opacity for a period or periods aggregating more than one (1) minute in any sixty (60) minute period. (3-15-02)

ii. Citizen complaints of failure to reasonably control fugitive dust shall be expeditiously evaluated by the owner or operator for merit. If the owner or operator determines the complaint has merit, the progressive strategy shall be expeditiously employed to reasonably control fugitive dust. The Department may review the complaint records and investigate citizen complaints as appropriate. If the Department finds that a complaint has merit, it may determine additional control measures are required. (3-15-02)

c. Control strategies. The following are control strategies for stockpiles. (3-15-02)

i. Limit the height of the stockpiles. (3-15-02)

ii. Limit the disturbance of the stockpiles. (3-15-02)

iii. Apply water onto the surface of the stockpile. (3-15-02)

iv. Other control strategy or strategies as approved by the Department. (3-15-02)

**800. REGISTRATION FEE FOR PERMIT BY RULE.**
A registration fee of two hundred fifty dollars ($250) shall be submitted to the Department with each permit by rule registration. (7-1-02)

**801. PAYMENT OF FEES FOR PERMITS BY RULE REGISTRATION.**
The permit by rule registration fee shall be paid in its entirety at the time the required registration form is submitted to the Department. The permit by rule registration form and fee should be sent to:

Permit by Rule Registration Fees
Fiscal Office
Idaho Department of Environmental Quality
1410 N. Hilton, Boise, ID 83706-1255 (7-1-02)

**802. RECEIPT AND USAGE OF FEES.**
Permit by rule registration fee receipts shall be deposited by the Department into a stationary source permit account. Monies from this account shall be used solely toward technical, legal and administrative support of the Department's Permit to Construct and Tier II permit programs and shall not be used for those activities supported by the fund created for implementing the operating permit program required under Title V of the federal Clean Air Act amendments of 1990. Fees payable under Section 800 shall be retained by the Department regardless of whether a permit by rule registration is accepted by the Department in response to a registration request. (7-1-02)

**803. -- 804. (RESERVED)**

**805. RULES FOR CONTROL OF HOT-MIX ASPHALT PLANTS.**
The purpose of Sections 805 through 808 is to establish for hot-mix asphalt plants restrictions on the emission of particulate matter. (5-1-94)

**806. EMISSION LIMITS.**
No person shall cause, allow or permit a hot-mix asphalt plant to have particulate emissions which exceed the limits specified in Sections 700 through 703. (5-1-94)

**807. MULTIPLE STACKS.**