



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3188

AIR & RADIATION
DIVISION

February 18, 2021

Mr. Jeremy Walkup
Operations Manager
Poe Asphalt Paving, Inc.
P.O. Box 449
Lewiston, Idaho 83501

Dear Mr. Walkup:

This letter approves the Request for Coverage under the General Air Quality Permit for New or Modified Minor Source Hot Mix Asphalt Plants in Indian Country submitted by Poe Asphalt Paving, Inc. on November 21, 2020, pursuant to the Clean Air Act Tribal Minor New Source Review Program. The project for which HMA General Permit coverage is sought by Poe Asphalt is the construction and operation of a stationary hot mix asphalt plant at the Fighting Creek Quarry within the exterior boundaries of the Coeur d'Alene Reservation.

Permittee: Poe Asphalt Paving, Inc.
P.O. Box 449
Lewiston, ID 83501

Location: Fighting Creek Quarry
23100 US-95
Coeur d'Alene, WA
Kootenai County
Coeur d'Alene Reservation
Latitude: 47.521° N; Longitude: 116.935° W

Permit #: R10TNSR02500

Determination

The U.S. Environmental Protection Agency, Region 10 has carefully reviewed Poe Asphalt's Request for Coverage and other relevant information to determine whether the Project meets all of the criteria to qualify for coverage under the HMA General Permit. Based on our review of, and in reliance on, all of the information and representations provided in the Request for Coverage and other information submitted by Poe Asphalt, as well as other relevant information, Region 10 has determined that the Project meets all such criteria and is eligible for coverage under the HMA General Permit.¹ Accordingly, pursuant to 40 CFR 49.156(e), Region 10 is approving the Request for Coverage for the Project.

¹ Region 10 has determined that Poe Asphalt has provided information demonstrating that it has met the listed species and historic properties eligibility criteria in the HMA General Permit, as discussed in the Technical Support Document.

This Approval and the HMA General Permit authorize the Permittee to construct and operate the Project at the Fighting Creek Quarry location listed above. The Permittee is subject to Version 1.0 of the aforementioned HMA General Permit, a copy of which is enclosed.² The analysis and basis for Region 10's determination is discussed in more detail in the enclosed Technical Support Document for this action.

All notifications and reports required by the HMA General Permit shall be sent to the address below:

Clean Air Act Compliance Manager
 U.S. EPA – Region 10, 20-C04
 1200 Sixth Avenue, Suite 155
 Seattle, WA 98101-3123

This Approval of Request for Coverage must be posted prominently at the site location of operation (Fighting Creek Quarry). Each affected emissions unit and any associated air pollution control technology must be labeled with the applicable identification number listed below:

Poe Asphalt Paving #2000 HMA Plant: Affected Emission Units Covered by this Approval

| ID # | Description of Affected Emission Units^a | Controls |
|-------------|---|---------------------|
| 1 | HMA Drum Dryer/Mixer: Gencor Model 400 portable asphalt plant, counter-flow design drum; 400 tons/hour capacity; 50% RAP capability; 94.43 mmBtu/hr burner, fueled with natural gas or propane; manufactured in 1993, modified in 2015 | CFP-182 Baghouse |
| 2 | Aggregate Handling: aggregate to piles via trucks; from piles to drum dryer via loader: 5-bin feeder and scale conveyer; 400 tons/hour capacity | None listed |
| 3 | RAP Handling: recycled asphalt to piles via trucks; to drum dryer via RAP bins, crushers, loader and Recycle Feed Conveyer; 200 tons/hour RAP capacity; | None listed |
| 4 | Silo Filling: asphalt to silo from drum dryer via Drag Conveyer; 450 tons/hour capacity; | None listed |
| 5 | Truck Loading and Fumes: asphalt load-out from silos to trucks and fumes from loaded truck bed while in plant; | None listed |
| 6 | Vehicle Traffic: asphalt, aggregate and RAP trucks; diesel tanker trucks; loader for aggregate and RAP handling; passenger vehicles | Water application |
| 7 | Aggregate Storage Piles and Open Areas | None listed |
| 8 | Auxiliary Heater: HYCGO-200 heater, 2.0 MMBtu/hour, diesel fuel; manufactured in 2020 | None listed |
| 9 | Asphalt Oil Storage Tank: 30,000 gallons asphalt oil; installed 2020 | None listed |
| 10 | Reclaimed Fuel Oil Tank: 16,000 gallons; installed 2009 (RFO not to be used for any purpose at the Fighting Creek Quarry site nor within the Coeur d'Alene Reservation) | None listed |
| 11 | Diesel Storage Tank: 9,000 gallons #2 diesel; installed 2009 | None listed |
| 12 | Asphalt Tack Storage Tank: 8,000 gallons; installed 1991 | None listed |

²The HMA General Permit is available at https://www.epa.gov/sites/production/files/2016-05/documents/hotmixasphaltpermit_1.pdf, and a copy of this Approval will be posted on Region 10's website at <http://www.epa.gov/caa-permitting/air-permits-issued-epa-region-10>. ^aThree diesel generators were included in the application and are considered portable non-road engines, exempt from the engine requirements in the General Permit.

Applicable Permit Conditions

Your permitted source is subject to all terms and conditions in the HMA General Permit as specified in the permit. Because your application requested the elective synthetic minor limit for co-located sources, your source must comply with Conditions 17.a and 20.b in the HMA General Permit.

Additional Information

You are reminded that you must construct and/or modify and operate the affected emissions units and any associated air pollution control technologies, in compliance with the HMA General Permit and all other applicable federal air quality regulations and in a manner consistent with all the representations made in your Request for Coverage. You must comply with all applicable provisions of the HMA General Permit, including those set forth in the attachments and emission limitations that apply to the affected emissions units at the permitted source. Noncompliance with any permit provision is a violation of the permit; may constitute a violation of the CAA; is grounds for an enforcement action; and is grounds for Region 10 to revoke the Approval and terminate your source's coverage under the HMA General Permit. You may be subject to enforcement action for failure to obtain a preconstruction permit if you construct your source under this Approval and your source is later determined not to qualify for the conditions and terms of the HMA General Permit.

Please note in particular the discussion on page 6 of the enclosed Technical Support Document regarding the requirement to conduct source testing within 60 days after achieving the maximum production rate at which the permitted source will operate but not later than 180 days after the first day of operation. Source testing is required to confirm that the drum dryer burner meets the emission limits in the HMA General Permit.

Pursuant to 40 CFR 49.156(e)(8), this Approval will become invalid if you do not commence construction within 18 months after the date when this Approval becomes effective, if you discontinue construction for a period of 18 months or more, or if you do not complete construction within a reasonable time. Region 10 may extend the 18-month period upon a satisfactory showing that an extension is justified.

Region 10's approval of your request for coverage under the HMA General Permit is effective upon signature and is a final agency action for purposes of judicial review. The only issue subject to review is whether the Project is eligible for coverage under the HMA General Permit. 40 CFR 49.156(e)(6). Any petition for review of this approval action must be filed in the United States Court of Appeals for the appropriate circuit pursuant to CAA section 307(b).

If you have any questions, please contact Jay McAlpine at (206) 553-0094 or mcalpine.jay@epa.gov.

Sincerely,

Geoffrey Glass, Acting Chief
Air Permits & Toxics Branch

Enclosures

1. HMA General Permit
2. 20210217 Fighting Creek GP TSD

cc: Mr. Lester Higgins
Air Quality Program Manager
Coeur d'Alene Tribe