

AIR QUALITY PERMIT

Issued to: Westmoreland Resources, Inc. Permit #1418B

P. O.Box 449

Date Recd: Aug. 15, 1979

Hardin, MT 59034

Date Filed: April 28, 1980

Date Issued: June 11, 1980

Notice of Intent to Modify:

February 27, 1985;

August 14, 1986

SECTION I: Permitted Facilities

An air quality permit is hereby granted to the above-named permittee, hereinafter referred to as recipient, pursuant to Sections 75-2-204 and 211, MCA, as amended, and Subchapter 11, PERMIT, CONSTRUCTION AND OPERATION OF AIR CONTAMINANT SOURCES, ARM 16.8.1101 through 16.8.1118 as amended, for the following:

- A. One surface coal mine to produce no more than 11,000,000 tons of coal per year.
- B. Coal handling facilities as identified in the application and formerly permitted under Air Quality Permit No. 1218.
- C. Two coal-fired boilers as identified in the application and formerly permitted under Air Quality Permit No. 1219.
- D. Necessary auxiliaries.

SECTION II: Limitations and Conditions

- A. The recipient shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, visible emissions which exhibit twenty percent (20%) opacity or greater.
- B. Process flow rates shall not exceed:
 - 1. 3,000 tons/hour from the truck dump into the storage shed;
 - 2. 4,000 tons/hour from the storage shed into the train loading hopper.
- C. Recipient shall maintain and operate its mine with the following emission control technologies and management practices.
 - 1. Coal Conveyors - All conveyor belts shall be covered on three sides. Belt transfer points shall be hooded.
 - 2. Primary Crusher, Secondary Crusher and Screen - Primary and secondary crushers shall be enclosed. Feed points to the crushers and secondary crusher screen shall be hooded.
 - 3. Coal Storage - 50,000 ton coal storage pile enclosed in a storage barn.

4. Open Coal Storage - Water or equivalent dust suppressant on open coal storage as necessary.
5. Train Load-out - Minimize the free fall distance by the use of a retractable loading chute.
6. Overburden and Interburden Removal - Minimize the fall distance from the dragline bucket to the spoil pile.
7. Coal Removal - Minimize fall distance from the front-end loader or shovel to haul trucks.
8. Coal and Overburden Drilling - Use water injection on drills.
9. Coal and Overburden Blasting - Minimize overshooting and minimize the area to be blasted.

10. Haul Roads - Chemical dust suppression or equivalent shall be used. Recipient shall submit to the department for approval a plan for implementation of dust suppression. The plan shall be submitted by November 1, 1980.

11. Access Road - Water or equivalent dust suppression to be employed on access road.

12. Topsoil Removal and Exposed Areas - Topsoil stripping to precede mining as closely as practicable. Reclaim overburden and interburden piles as closely behind the mining operation as possible.

13. Truck Dump - Bottom dump coal haulers to minimize drop distance.

D.1. The boilers shall not burn coal containing more than: (a) 0.8 percent sulfur by weight, monthly average, on an as-received basis; (b) 11.0 percent ash by weight, monthly average, on an as-received basis. Monthly train composite data may be utilized to represent the quality of coal used in the boilers.

2. Steam production rates shall not exceed 8,600 lbs/hour for each boiler.

3. Soot blowing shall be done once per eight hour shift by manually opening and closing air valves to the front and back blow-down units and actuators.

4. Boiler ash shall not be disposed of at a location where wind may cause the material to become airborne.

F. Recipient shall comply with all other applicable state, federal, or local regulations.

G. Except as otherwise specified, all proposals, information and statements in the application are, by this reference, made conditions of the permit.

SECTION III: Monitoring and Reporting

A. Monitoring Sites - The recipient shall maintain and operate monitoring sites #2, #5, #6 and #7.

B. Sampling

1. The recipient shall utilize the EPA reference sampling method described in 40 CFR Part 50, Appendix B, or as revised.
2. The recipient shall follow EPA quality assurance practices described in 40 CFR Part 58, Appendices A, B and E or as revised.
3. Particulate sampling shall be performed once in every six days.

C. Reporting

1. The recipient shall supply the department with all particulate daily values on magnetic tape, punch cards, or paper input forms in SAROAD format. This data shall be submitted to the department within 45 days of the end of each calendar quarter. The particulate data shall include the precision and accuracy information as specified in B.2. above.
 2. With the first quarterly report required by C.1., the recipient shall supply the Air Quality Bureau with a set of four color 35 mm prints looking through the sampler to the north, east, south and west, and include a brief documentation of the site.
 3. The recipient shall submit to the department within 90 days after the end of each calendar year an annual report which summarizes the particulate data by site in the following fashion: annual arithmetic and geometric means, number of ambient standard violations, precision and accuracy, trends, percent data collection, and filter color code.
- D. Auditing - The department or its consultant may audit the particulate monitors and sites at unspecified times throughout the sampling year. An audit report will be forwarded to the company within thirty (30) days after the audit.

SECTION IV: Duration

This permit shall be valid from date of issuance until December 31, 1998. The application contained a mine plan only until that date.

SECTION V: General

A. Inspection

The recipient shall allow the department's representatives access to the source at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, and otherwise conducting all necessary functions related to this permit.

B. Waiver

The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if the recipient fails to appeal as indicated below.

C. Compliance with Statutes and Regulations

Specific listing of requirements, limitations, and conditions contained herein does not relieve the applicant from compliance with all applicable statutes and administrative regulations including amendments thereto, nor waive the right of the department to require compliance with all applicable statutes and administrative regulations, including amendments thereto.

D. Enforcement

Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401 MCA.

E. Appeals

Any person or persons who are jointly or severally adversely affected by the department's decision may request, within fifteen (15) days after the department renders its decision, upon affidavit, setting forth the grounds therefore, a hearing before the Board. A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The department's decision on the application is not final unless fifteen (15) days have elapsed and there is no request for a hearing under this section. The filing of a request for a hearing postpones the effective date of the department's decision until the conclusion of the hearing and issuance of a final decision by the Board.

F. Application Data

Information submitted on behalf of an air quality permit application is hereby incorporated as a condition of that permit including commencement and completion dates of construction.

G. Permit Inspection

As required by ARM 16.8.1115 INSPECTION OF PERMIT, a copy of the air quality permit shall be made available for inspection by air quality personnel at the location of the permitted source.