



Montana Department of
ENVIRONMENTAL QUALITY

Brian Schweitzer, Governor

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July 2, 2009

Tracy Hodik
Century Companies, Inc.
P.O. Box 579
Lewistown, MT 59457

Dear Ms. Hodik:

Montana Air Quality Permit #2526-01 is deemed final as of July 2, 2009, by the Department of Environmental Quality (Department). This permit is for a Portable Asphalt Plant. All conditions of the Department's Decision remain the same. Enclosed is a copy of your permit with the final date indicated.

For the Department,

Vickie Walsh
Air Permitting Program Supervisor
Air Resources Management Bureau
(406) 444-9741

Shawn Juers
Environmental Engineer
Air Resources Management Bureau
(406) 444-2049

VW:SJ
Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Montana Air Quality Permit #2526-01

Century Companies, Inc.
P.O. Box 579
Lewistown, MT 59457

July 2, 2009



MONTANA AIR QUALITY PERMIT

Issued To: Century Companies
PO Box 579
Lewistown, MT 59457

MAQP: #2526-01
Application Complete: 5/6/2009
Preliminary Determination Issued: 5/15/2009
Department's Decision Issued: 6/16/2009
Permit Final: 7/2/2009
AFS #: 777-2526

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to Century Companies, Inc (Century) pursuant to Sections 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

SECTION I: Permitted Facilities

A. Plant Location

Century operates a portable parallel flow drum mix asphalt plant initially located in Section 21, Township 16 North, Range 17 East, in Fergus County, Montana. However, MAQP #2526-01 applies while operating at any location in Montana, except those areas having a Department of Environmental Quality (Department)-approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* An addendum will be required for locations in or within 10 km of certain PM₁₀ nonattainment areas.

B. Current Permit Action

On May 6, 2009, the Department received a complete MAQP application to add two diesel engines/generators, and to replace the current asphalt drum mixer with a new parallel flow ADM Asphalt Drum Mixer including a new Hawk Burner (Drum Mixer). The Drum Mixer is equipped with a Venturi-Wet Scrubber emissions control unit. The current permit action updates the MAQP to include that equipment, to update the emissions inventory, and to reflect the current permit language, format, and rule references used by the Department.

SECTION II: Conditions and Limitations

A. Emission Limitations

1. Asphalt plant particulate matter (PM) emissions shall be limited to 0.04 grains per dry standard cubic foot (gr/dscf) (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).
2. Century shall not cause or authorize to be discharged into the atmosphere from the asphalt plant stack any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.340 and 40 CFR 60, Subpart I).
3. Century shall not cause or authorize to be discharged into the atmosphere from dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt and the loading, transfer, and storage systems associated with emission control systems, any visible emissions that exhibit opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).

4. Century shall not cause or authorize the use of any street, road or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).
5. Century shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation in Section II.A.4 (ARM 17.8.749).
6. A wet scrubber for PM air pollution control, with a device to measure the pressure drop (magnehelic gauge, manometer, etc.) must be installed, operated, and maintained on the asphalt drum mix dryer. Pressure drop must be measured in inches of water. Temperature indicators at the control device inlet and outlet must be installed and maintained (ARM 17.8.749).
7. Once a stack test is performed, the asphalt production rate shall be limited to the average production rate during the last source test demonstrating compliance (ARM 17.8.749).
8. The throughput of the Drum Mixer shall be limited to 1,300,000 tons during any rolling 12-month time period (ARM 17.8.1204(3)).
9. Century shall not operate more than two diesel engines/generators at any given time and the total combined maximum rated capacity of the engines/generators shall not exceed 540 hp (ARM 17.8.749).
10. Operation of the asphalt plant including all permitted equipment shall not exceed 6,500 hours each during any rolling 12-month time period (ARM 17.8.1204(3)).
11. If the permitted equipment is used in conjunction with any other equipment owned or operated by Century, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).
12. Century shall comply with all applicable standards and limitations, and the reporting, recordkeeping, and notification requirements contained in 40 Code of Federal Regulations (CFR) 60, Subpart I, *Standard of Performance for Hot Mix Asphalt Facilities* as it applies to this asphalt operation (ARM 17.8.340 and 40 CFR 60, Subpart I).
13. Century shall comply with all applicable standards and limitations, and the reporting, recordkeeping, and notification requirements contained in 40 CFR 60, Subpart III, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* and 40 CFR 63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*, for any applicable diesel engine (ARM 17.8.340; 40 CFR 60, Subpart III; ARM 17.8.342 and 40 CFR 63, Subpart ZZZZ).

B. Testing Requirements

1. Within 60 days after achieving the maximum production rate, but not later than 180 days after initial start up, an Environmental Protection Agency (EPA) Methods 1-5 source test shall be performed on the asphalt plant to demonstrate compliance with

Section II.A.1. An EPA Method 9 opacity test shall be performed in conjunction with all particulate tests to demonstrate compliance with the conditions specified in Sections II.A.2. and II.A.3. Testing shall continue on an every 4-year basis or according to another testing/monitoring schedule as may be approved by the Department (ARM 17.8.105 and ARM 17.8.749).

2. Pressure drop on the control device and temperature must be recorded daily and kept on site according to Section II.C.4 (ARM 17.8.749).
3. Pressure drop on the control device and temperatures must be recorded during the compliance source test and reported as part of the test results (ARM 17.8.749).
4. Since asphalt production will be limited to the average production rate during the compliance source test, it is suggested the test be performed at the highest production rate practical (ARM 17.8.749).
5. Century may retest at any time in order to test at a higher production rate (ARM 17.8.749).
6. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
7. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this asphalt plant is moved to another location, an Intent to Transfer form must be sent to the Department and a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.749 and ARM 17.8.765).
2. Century shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but not be limited to, all sources of emissions identified in the emission inventory contained in the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in the units required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

3. Century shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745, that would include *the addition of a new emissions unit*, change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation. The notice must be submitted to the Department, in writing, 10 days prior to startup or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(l)(d) (ARM 17.8.745).

4. Century shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. The records compiled in accordance with this permit shall be maintained by Century as a permanent business record for at least 5 years following the date of the measurement, must be available at the plant site for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).
5. Century shall document, by month, the Asphalt Drum Mix throughput for the facility. By the 25th day of each month, Century shall calculate the throughput from the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.8. Information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
6. Century shall document, by month, the hours of operation of the asphalt plant. By the 25th day of each month, Century shall calculate the hours of operation for the asphalt plant for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.10. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
7. Century shall annually certify that its emissions are less than those that would require the facility to obtain an air quality operating permit as required by ARM 17.8.1204(3)(b). The annual certification shall comply with the certification requirements of ARM 17.8.1207. The annual certification shall be submitted along with the annual emissions inventory information (ARM 17.8.749 and ARM 17.8.1204).

D. Notification Requirements

1. Century shall furnish the Department a notification of the date that the installation of the Asphalt Drum Mixer is commenced postmarked no later than 30 days after such date (ARM 17.8.749, ARM 17.8.340, 40 CFR 60.7(a)(1)).
2. Century shall furnish the Department a notification of the actual date of initial startup of the Asphalt Drum Mixer postmarked within 15 days after such date (ARM 17.8.749, ARM 17.8.340, 40 CFR 60.7(a)(3)).

SECTION III: General Conditions

- A. Inspection – Century shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (Continuous Emissions Monitoring Systems (CEMS), Continuous Emissions Rate Monitoring Systems (CERMS)) or observing any monitoring or testing, 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 Century fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Century of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided for in ARM 17.8.740, *et seq.* (ARM 17.8.756)

- 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, *et seq.*, MCA.
- E. Appeals – Any person or persons jointly or severally adversely affected by the Department’s decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department’s decision, unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on a permit by the Board postpones the effective date of the Department’s decision until conclusion of the hearing and issuance of a final decision by the Board. If a stay is not issued by the Board, the Department’s decision on the application is final 16 days after the Department’s decision is made.
- F. Permit Inspection – As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.
- G. Permit Fee – Pursuant to Section 75-2-220, MCA, failure to pay the annual operation fee by Century may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.
- H. Duration of Permit – Construction or installation must begin or contractual obligations entered into that would constitute substantial loss within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall expire (ARM 17.8.762).
- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Century shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas that have a Department-approved permitting program or areas considered tribal lands.

Permit Analysis
Century Companies, Inc
Montana Air Quality Permit #2526-01

I. Introduction/Process Description

Century Companies, Inc (Century) owns and operates a parallel-flow drum mix asphalt plant.

A. Permitted Equipment

- 1985 ADM Asphalt Drum Mixer w/ Venturi Wet Scrubber controls. The Drum is rated for a maximum 200 ton per hour (TPH) processing rate with associated 45.6 million BTU per hour (MMBTU/hr) heat input fired on propane.
- Hot Oil Tank with associated Hot Oil Heater fired on No. 2 Fuel Oil rated for 1.27 MMBTU/hr of heat input.
- Diesel-Powered Generator Engine (485 horsepower (hp)).
- Diesel-Powered Generator Engine (55 hp).
- Associated equipment including Load Out Silo, Bin Feeder, shaker screen, and conveyors.

B. Source Description

For a typical operational set-up, raw materials are introduced into the drum mixer. First, aggregate materials are dumped via a front end loader into the 3-bin feeder. The cold aggregate is then transferred from the feed bins via conveyor through a shaker screen, and onto a scale conveyor. The aggregate is then introduced into the rotating drum mixer where it is heated and dried. Aggregate tumbles through the drum where oil is introduced to the drum mixer from the hot oil heater tank. All the raw materials are continuously mixed and heated by the drum mixer. After mixing, the hot asphalt exits into a slat conveyor and is elevated into a storage silo for loading. The exhaust from the drum mixer is controlled via a venturi type wet scrubber. The water from the scrubbing process goes to settling ponds where the settleable solids are separated by gravity and the clarified water can be used in the scrubbing process again. The asphalt product remains in the silo until it is loaded into trucks for transport.

C. Permit History

Montana Air Quality Permit (MAQP) #2526-00 was issued to Century on April 6, 1989, to operate a 1956 Pioneer portable asphalt plant.

D. Current Permit Action

On May 6, 2009, the Department of Environmental Quality (Department) received a complete MAQP application to add the horsepower rating of two diesel generator engines, and to remove the current Drum Mixer and replace it with a 1985 Parallel Flow ADM Asphalt Drum Mixer with a new Hawk Burner. The new Drum Mixer will be equipped with a Venturi-Wet Scrubber emissions control unit. The current MAQP action updates the permit to include that equipment, to update the emissions inventory, and to reflect the current permit language, format, and rule references used by the Department. **MAQP #2526-01** replaces MAQP #2526-00.

E. Additional Information

Additional information, such as applicable rules and regulations, Best Available Control Technology (BACT)/Reasonably Available Control Technology (RACT) determinations, air quality impacts, and environmental assessments, is included in the analysis associated with each change to the permit.

II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department. Upon request, the Department will provide references for location of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Subchapter 1 – General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

Century shall comply with the requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than 4 hours.
5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

B. ARM 17.8, Subchapter 2 – Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM₁₀

Century must maintain compliance with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 3 – Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes.
2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of less than 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter. (2) Under this rule, Century shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.
4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this section.
6. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS). Century is considered an NSPS affected facility under 40 CFR Part 60 and is subject to the requirements of the following subparts.
 - a. 40 CFR 60, Subpart A – General Provisions apply to all equipment or facilities subject to an NSPS Subpart as listed below:
 - b. 40 CFR 60, Subpart I – Standards of Performance of Hot Mix Asphalt Facilities. In order for an asphalt plant to be subject to this subpart, the facility must meet the definition of an affected facility and the affected equipment must have been constructed, reconstructed, or modified after June 11, 1973. Based on the information submitted by Century, the 200 TPH ADM Asphalt Drum Mixer was manufactured in 1985 and is therefore subject to this subpart.

- c. 40 CFR 60, Subpart IIII - Standards of Performance for Stationary Compression, Ignition (CI) Internal Combustion Engines (ICE), indicates that NSPS requirements apply to owners or operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE is manufactured after April 1, 2006, and is not a fire pump engine. Since this permit is written in a de minimis friendly manner, this regulation may apply to engines in the future.
7. ARM 17.8.342 Emissions Standards for Hazardous Air Pollutants for Source Categories. The source, as defined and applied in 40 CFR Part 63, shall comply with the requirements of 40 CFR Part 63, as listed below.
- a. 40 CFR 63, Subpart A – General Provisions apply to all equipment or facilities subject to a National Emission Standard for Hazardous Air Pollutants (NESHAPs) Subpart as listed below.
 - b. 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE). As an area source, a diesel RICE would be subject to this rule if construction or reconstruction, as defined in 40 CFR 63.2, of the stationary RICE commenced after June 12, 2006.

Since this permit is written in a de minimis friendly manner, this regulation may apply to future engines.

D. ARM 17.8, Subchapter 5 – Air Quality Permit Application, Operation, and Open Burning Fees, including, but not limited to:

- 1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that an applicant submit a permit application fee concurrent with the submittal of a permit application. A permit application is incomplete until the proper application fee is paid to the Department. Century submitted the appropriate permit application fee for the current permit action.
- 2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department; the air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that pro-rate the required fee amount.

E. ARM 17.8, Subchapter 7 – Permit, Construction, and Operation of Air Contaminant Sources, including, but not limited to:

- 1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.

2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain a Montana Air Quality Permit modification to construct, modify, or use any asphalt plant, crusher or screen that has the potential to emit (PTE) greater than 15 tons per year of any pollutant. Century has a PTE greater than 15 tons per year for particulate matter (PM), particulate matter with a diameter less than 10 microns (PM₁₀), carbon monoxide (CO), oxides of nitrogen (NO_x) and Volatile Organic Carbon (VOC), therefore, a permit is required.
3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit program.
4. ARM 17.8.745 Montana Air Quality Permits--Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that do not require a permit under the Montana Air Quality Permit Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. (1) This rule requires that a permit application be submitted prior to installation, modification, or use of a source. Century submitted the required permit application for the current permit action. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. Century submitted an affidavit of publication of public notice for the April 4, 2009, issue of the *Lewistown News – Argus*, a newspaper of general circulation in the town of Lewistown in Fergus County, as proof of compliance with the public notice requirements.
6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. The required BACT analysis is included in Section III of this permit analysis.
8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Century of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.759 Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those permit applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.760 Additional Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those applications that require an environmental impact statement.

12. ARM 17.8.762 Duration of Permit. A Montana Air Quality Permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or modified source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
13. ARM 17.8.763 Revocation of Permit. A Montana Air Quality Permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
14. ARM 17.8.764 Administrative Amendment to Permit. A Montana Air Quality Permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.
15. ARM 17.8.765 Transfer of Permit. (1) This rule states that a Montana Air Quality Permit may be transferred from one location to another if the Department receives a complete notice of intent to transfer location, the facility will operate in the new location for less than 1 year, the facility will comply with the FCAA and the Clean Air Act of Montana, and the facility complies with other applicable rules. (2) This rule states that a Montana Air Quality Permit may be transferred from one person to another if written notice of intent to transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Subchapter 8 - Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modification--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the FCAA that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source because it is not a listed source and the facility's PTE is less than 250 tons per year of any pollutant.

G. ARM 17.8, Subchapter 12 – Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
 - a. PTE > 100 tons/year of any pollutant;

- b. PTE > 10 tons/year of any one hazardous air pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or lesser quantity as the Department may establish by rule; or
 - c. PTE > 70 tons/year of particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) in a serious PM₁₀ nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing MAQP #2526-01 for Century, the following conclusions were made:
- a. The facility's PTE is less than 100 tons/year for any pollutant.
 - b. The facility's PTE is less than 10 tons/year for any one HAP and less than 25 tons/year of all HAPs.
 - c. This source is not located in a serious PM₁₀ nonattainment area.
 - d. This facility is subject to a current NSPS (40 CFR 60, Subpart I and potentially Subpart IIII).
 - e. This facility is potentially subject to area source provisions of a current NESHAP standard (40 CFR 63, Subpart ZZZZ).
 - f. This source is not a Title IV affected source or a solid waste combustion unit.
 - g. This source is not an EPA designated Title V source.
 - h. ARM 17.8.1204(3). The Department may exempt a source from the requirement to obtain an air quality operating permit by establishing federally enforceable limitations which limit that source's PTE.
 - i. In applying for an exemption under this section the owner or operator of the facility shall certify to the Department that the source's PTE does not require the source to obtain an air quality operating permit.
 - ii. Any source that obtains a federally enforceable limit on PTE shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit.

Century has taken federally enforceable permit conditions to limit potential emissions. Based on these facts, the Department has determined that Century will be a minor source of emissions as defined under Title V. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, Century will be required to obtain a Title V Operating Permit.

3. ARM 17.8.1207 Certification of Truth, Accuracy, and Completeness. The compliance certification submittal by ARM 17.8.1204(3) shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this subchapter shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

III. BACT Determination

A BACT determination is required for each new or modified source. Century shall install on the new or modified source the maximum air pollution control capability which is technically practicable and economically feasible, except that BACT shall be utilized.

Asphalt Drum Mixer:

Century has proposed to use a venturi type wet scrubber for the control of particulate matter from the asphalt drum mixer. The asphalt drum mixer is subject to the New Source Performance Standard (NSPS) of 0.04 grains per dry standard cubic foot (gr/dscf). MAQP #2526-01 requires emissions testing within 60 days after achieving the maximum production rate, but not later than 180 days after initial start up to demonstrate compliance with this standard. Furthermore, MAQP #2526-01 requires that once a stack test is performed, the asphalt production rate shall be limited to the average production rate during the last source test demonstrating compliance. Therefore, the production rate of the plant will be subject to the performance of the air pollution control device selected.

Given the current and expected production demands of this facility, purchase and installation of other control technologies would be cost prohibitive compared to control of emissions to NSPS standards by use of the existing venturi-wet scrubber and limiting, as necessary, the production rate. The NSPS emissions standard required of this asphalt plant is the standard required of all asphalt plants subject to the NSPS standard. Therefore, the Department has determined that operation of the existing venturi-wet scrubber with production rates limited by those rates proven by source testing to meet the NSPS standard constitutes BACT for this facility.

IV. Emission Inventory

Emission Source	Tons/year					
	PM	PM10	CO	NOx	VOC	SOx
Cold Aggregate Storage Piles	1.41	0.68				
Cold Aggregate Handling (Front Loader into Bin Feeder)	1.41	0.68				
Conveyor Transfer Points	0.27	0.10				
Shaker Screen	7.02	4.29				
Asphalt Oil Heater			0.03			
Asphalt Parallel-Flow Drum Mix Dryer	9.09	7.27	84.50	24.51	20.80	2.21
Asphalt Product Storage Bin Filling	0.38		0.99			
Truck Loadout	0.43		0.86			
Haul Roads (truck and front loader)	5.68	1.57				
485 hp Diesel Powered Generator	3.47	3.47	10.56	48.86	3.94	3.31
55 hp Diesel Powered Generator	0.39	0.39	1.20	5.54	0.45	0.38
Total Emissions	29.55	18.45	98.14	78.91	25.19	5.90

Cold Aggregate Storage Piles

SCC 3-05-002-03

Maximum Process Rate = 300.0000 TPH
Maximum Hours of Operation = 6500.0000 hours/year
Number of Piles = 1.0000 pile

PM Emissions

$$E = k(0.0032) \frac{\left(\frac{U}{5}\right)^{1.3}}{\left(\frac{M}{2}\right)^{1.4}} \text{ (pound [lb]/ton)} \quad \text{AP-42 Section 13.2.4.3, (11/2006)}$$

where:

E = emission factor
k = particle size multiplier (dimensionless)
U = mean wind speed, meters per second (m/s) (miles per hour [mph])
M = material moisture content (%)

k = 0.74
U = 9.10 <http://met-www.cit.cornell.edu/ccd/wndspd98.html>
M = 3.00 % AP-42 Section 11.1.1.1 (03/2004)
E = 0.0029 lb/ton

Control Efficiency = 50% (water or chemical spray control)

Calculations: 0.0029 lb/ton * 300 ton/hr * 0.5 = 0.435 lb/hr
0.435 lb/hr * 6500 hr/yr * 0.0005 lb/ton = **1.41 ton/yr**

PM10 Emissions

k = 0.35
U = 9.10 MPH <http://met-www.cit.comell.edu/ccd/wndspd98.html>
M = 3.00 % AP-42 Section 11.1.1.1 (03/2004)
E = 0.0014 lb/ton

Control Efficiency = 50% (water or chemical spray control)

Calculations: $0.0014 \text{ lb/ton} * 300 \text{ ton/hr} * 0.5 = 0.210 \text{ lb/hr}$
 $0.21 \text{ lb/hr} * 6500 \text{ hr/yr} * 0.0005 \text{ lb/ton} = 0.68 \text{ ton/yr}$

Cold Aggregate Handling (Loader into 3 Bin Feeder)

SCC 3-05-002-04

Maximum Process Rate = 300.0000 TPH
Maximum Hours of Operation = 6500.0000 hours/year

PM Emissions

AP-42 Section 13.2.4.3, (11/2006)

k = 0.74
U = 9.10 MPH <http://met-www.cit.comell.edu/ccd/wndspd98.html>
M = 3.00 % AP-42 Section 11.1.1.1 (03/2004)
E = 0.0029 lb/ton

Control Efficiency = 50% (water or chemical spray control)

Calculations: $0.0029 \text{ lb/ton} * 300 \text{ ton/hr} * 0.5 = 0.435 \text{ lb/hr}$
 $0.435 \text{ lb/hr} * 6500 \text{ hr/yr} * 0.0005 \text{ lb/ton} = 1.41 \text{ ton/yr}$

PM10 Emissions

AP-42 Section 13.2.4.3, (11/2006)

k = 0.35
U = 9.10 MPH <http://met-www.cit.comell.edu/ccd/wndspd98.html>
M = 3.00 % AP-42 Section 11.1.1.1 (03/2004)
E = 0.0014 lb/ton

Control Efficiency = 50% (water or chemical spray control)

Calculations: $0.0014 \text{ lb/ton} * 300 \text{ ton/hr} * 0.5 = 0.210 \text{ lb/hr}$
 $0.21 \text{ lb/hr} * 6500 \text{ hr/yr} * 0.0005 \text{ lb/ton} = 0.68 \text{ ton/yr}$

Conveyor Transfer Points (controlled)

SCC 3-05-020-06

Bin Feeder to Conveyor: 1 Transfer Points
Conveyor to Screen: Screen Emissions
Screen onto scale conveyor: 1 Transfer Points
Scale conveyor into Dryer: Dryer Emissions
Dryer to Storage via Slat
Conveyor: Storage Bin Emissions

Total Transfer Points: 2 Transfer Points

PM Emissions

Emissions Factor: 0.00014 lb/ton AP-42 Table 11.19.2-2, (8/2004)
Max Process Rate: 300 tons/hr
Maximum Hours of Operation: 6500 hours/year
Calculations: $0.00014 \text{ lb/ton} * 300 \text{ tons/hr} * 2 \text{ transfer points} = 0.0840 \text{ lb/hr}$
 $0.084 \text{ lb/hr} * 6500 \text{ hr/yr} * 0.0005 \text{ lb/ton} = \mathbf{0.27 \text{ ton/yr}}$

PM10 Emissions

Emissions Factor: 0.00005 lb/ton AP-42 Table 11.19.2-2, (8/2004)
Max Process Rate: 300 tons/hr
Maximum Hours of Operation: 6500 hours/year
Calculations: $0.00005 \text{ lb/ton} * 300 \text{ tons/hr} = 0.0300 \text{ lb/hr}$
 $0.03 \text{ lb/hr} * 6500 \text{ hr/yr} * 0.0005 \text{ lb/ton} = \mathbf{0.10 \text{ ton/yr}}$

Shaker Screen (controlled)

SCC 3-05-020-21

PM Emissions

Emissions Factor: 0.0036 lb/ton AP-42 Table 11.19.2-2, (8/2004)
Max Process Rate: 300 tons/hr
Maximum Hours of Operation: 6500 hours/year
Calculations: $0.0036 \text{ lb/ton} * 300 \text{ tons/hr} * \text{transfer points} = 2.1600 \text{ lb/hr}$
 $2.16 \text{ lb/hr} * 6500 \text{ hr/yr} * 0.0005 \text{ lb/ton} = \mathbf{7.02 \text{ ton/yr}}$

PM10 Emissions

Emissions Factor: 0.0022 lb/ton AP-42 Table 11.19.2-2, (8/2004)
Max Process Rate: 300 tons/hr
Maximum Hours of Operation: 6500 hours/year
Calculations: $0.0022 \text{ lb/ton} * 300 \text{ tons/hr} = 1.3200 \text{ lb/hr}$
 $1.32 \text{ lb/hr} * 6500 \text{ hr/yr} * 0.0005 \text{ lb/ton} = \mathbf{4.29 \text{ ton/yr}}$

Asphalt Oil Heater

SCC 3-05-002-08

CO Emissions

Emissions Factor: 0.0012 lb/gal fuel oil burned AP42 Table 11.1-13 (03/2004)
Max Process Rate: 6.00 gal/hr - permit application
Maximum Hours of Operation: 8760.0000 hours/yr
Calculations: $0.0012 \text{ lb/gal} * 6 \text{ gal/hr} = 0.0072 \text{ lb/hr}$
 $0.0072 \text{ lb/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ lb/ton} = \mathbf{0.03 \text{ ton/yr}}$

Parallel-Flow Drum Mix Dryer (controlled)

SCC 3-05-002-12

CO Emissions

LPG vs. Natural Gas Correction: Not applicable as CO emissions is from the product itself as well as combustion
Emissions Factor: 0.1300 lb/ton produced AP-42 Table 11.1-7 (03/2004)
Max Process Rate: 200.00 ton/hr
Maximum Hours of Operation: 6500.0000 hours/yr
Calculations: 0.13 lb/ton * 200 ton/hr = 26.0000 lb/hr
26 lb/hr * 6500 hr/yr * 0.0005 lb/ton = **84.50 ton/yr**

NO.x Emissions

LPG vs. Natural Gas Correction: 1.4500
Emissions Factor: 0.0260 lb/ton produced AP-42 Table 11.1-7 (03/2004)
Max Process Rate: 200.00 ton/hr
Maximum Hours of Operation: 6500.0000 hours/yr
Calculations: 0.026 lb/ton * 200 ton/hr * 1.45 = 7.5400 lb/hr
7.54 lb/hr * 6500 hr/yr * 0.0005 lb/ton = **24.51 ton/yr**

SO.x Emissions

LPG vs. Natural Gas Correction: ND
Emissions Factor: 0.0034 lb/ton produced AP-42 Table 11.1-7 (03/2004)
Max Process Rate: 200.00 ton/hr
Maximum Hours of Operation: 6500.0000 hours/yr
Calculations: 0.0034 lb/ton * 200 ton/hr = 0.6800 lb/hr
0.68 lb/hr * 6500 hr/yr * 0.0005 lb/ton = **2.21 ton/yr**

VOC Emissions

LPG vs. Natural Gas Correction: Not applicable as VOC emissions is from the product itself as well as combustion
Emissions Factor: 0.0320 lb/ton produced AP-42 Table 11.1-7 (03/2004)
Max Process Rate: 200.00 ton/hr
Maximum Hours of Operation: 6500.0000 hours/yr
Calculations: 0.032 lb/ton * 200 ton/hr = 6.4000 lb/hr
6.4 lb/hr * 6500 hr/yr * 0.0005 lb/ton = **20.80 ton/yr**

HAPs Emissions: ND

PM Emissions:

Emissions Factor: 0.0400 gr/dscf NSPS Limit: 40 CFR part 60, Subpart I
Maximum Hours of Operation: 6500 hours/yr
Plant Elevation: 3600 ft - Department info
Actual Pressure: 26.3800 in Hg - Department info
Standard pressure: 29.9200 in Hg
Flowrate: 12000 ACFM - company info
Std Temp: 20.0 °C = 528.0 R
Assumed Stack Temp: 225 °F - = 685.0 R
Correction Equation: $V1=V2*(P2/P1)*(T1/T2)$ = 8155.3 scfm
Moisture Correction: assumed ADCFM
Calculation: 8155.3 DSCFM * 6500 hr/yr * 0.04gr/DSCFM * 1 lb/7000 gr * 60 min/hr * 0.0005 lb/ton =
= **9.09 ton/yr**
PM10 Emissions = 80% PM Emissions (Department) = **7.27 ton/yr**

Haul Roads

Vehicle Miles Traveled (VMT) per Day = 5 VMT/day (Estimate)

VMT per hour = (5 VMT/day) * (day/24 hrs) = 0.21 VMT/hr

Hours of Operation = 8,760 hrs/yr

PM Emissions:

Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.

Emission Factor = $k * (s / 12)^a * (W / 3)^b = 12.46 \text{ lb/VMT}$

Where: k = constant = 4.9 lbs/VMT (Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)

s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)

W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)

a = constant = 0.7 (Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)

b = constant = 0.45 (Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)

Control Efficiency = 50% (Water spray or chemical dust suppressant)

Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (12.46 lb/VMT) * (ton/2000 lb) = 11.37 tons/yr

Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (12.46 lb/VMT) * (ton/2000 lb) * (1-50/100) = 5.68 tons/yr

PM₁₀ Emissions:

Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.

Emission Factor = $k * (s / 12)^a * (W / 3)^b = 3.43 \text{ lb/VMT}$

Where: k = constant = 1.5 lbs/VMT (Value for PM10, AP 42, Table 13.2.2-2, 11/06)

s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)

W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)

a = constant = 0.9 (Value for PM10, AP 42, Table 13.2.2-2, 11/06)

b = constant = 0.45 (Value for PM10, AP 42, Table 13.2.2-2, 11/06)

Control Efficiency = 50% (Water spray or chemical dust suppressant)

Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (3.43 lb/VMT) * (ton/2000 lb) = 3.13 tons/yr

Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (3.43 lb/VMT) * (ton/2000 lb) * (1-50/100) = 1.57 tons/yr

Deisel Engines/Generators

SCC 2-02-001-02

300 KW Detroit Generator Set

Rated hp: 485.0000 hp
6500.0000 hrs

PM Emissions - hP

Emissions Factor: 0.0022 lb/hp-hr (AP-42 Table 3.3-1, 10/1996)
Calculations: 0.0022 lb/hP-hr * 485 hP = 1.067 lb/hr
1.067 lbs/hr * 6500 hrs * 0.0005 tons/lb = **3.468** tons/yr

PM-10 Emissions

PM emissions are PM10 emissions (AP-42 Table 3.3-1, 10/1996)
1.067 lb/hr
3.468 tons/yr

NO_x

Emissions Factor: 0.0310 lb/hp-hr (AP-42 Table 3.3-1, 10/1996)
Calculations: 0.031 lb/hP-hr * hP = 15.035 lb/hr
15.035 lbs/hr * hrs * 0.0005 tons/lb = **48.864** tons/yr

CO

Emissions Factor: 0.0067 lb/hp-hr (AP-42 Table 3.3-1, 10/1996)
Calculations: 0.0067 lb/hP-hr * hP = 3.250 lb/hr
3.25 lbs/hr * hrs * 0.0005 tons/lb = **10.563** tons/yr

SO_x

Emissions Factor: 0.0021 lb/hp-hr (AP-42 Table 3.3-1, 10/1996)
Calculations: 0.0021 lb/hP-hr * hP = 1.019 lb/hr
1.019 lbs/hr * hrs * 0.0005 tons/lb = **3.312** tons/yr

VOC

Emissions Factor: 0.0025 lb/hp-hr (AP-42 Table 3.3-1, 10/1996)
Calculations 0.0025 lb/hp-hr * 485 hp = 1.213 lb/hr
1.213 lb/hr * 6500 hrs * 0.0005 tons/lb = **3.942** tons/yr

Total HAPs

Emissions Factor: 0.0037 lb/MMBTU (AP-42 Table 3.3-2, 10/1996)
Conversion Factor 7000.0000 BTU/hp-hr (AP-42 Table 3.3-1, 10/1996)
Calculations 7000 BTU/hp-hr * 485 hp * 0.0037 lb/MMBTU * 10⁻⁶ BTU/MMBTU = 0.013 lb/hr
0.013 lb/hr * 6500 hr * 0.0005 tons/lb = **0.042 ton/yr**

Truck Load Out

SCC 3-05-002-14

Table 11.1-14. PREDICTIVE EMISSION FACTOR EQUATIONS FOR LOAD-OUT AND SILO FILLING OPERATIONS³

EMISSION FACTOR RATING: C

AP-42 (03/2004)

Silo filling (SCC 3-05-002-13)	Total PM ^b	$EF = 0.000332 + 0.00105(-V)e^{((0.0251)(T + 460) - 20.43)}$
	Organic PM ^c	$EF = 0.00105(-V)e^{((0.0251)(T + 460) - 20.43)}$
	TOC ^d	$EF = 0.0504(-V)e^{((0.0251)(T + 460) - 20.43)}$
	CO	$EF = 0.00488(-V)e^{((0.0251)(T + 460) - 20.43)}$

V = asphalt volatility = -0.5000 % loss, AP-42 Table 11.1-14 note a (03/2004)
 T = mix temperature in °F = 325.0000 °F - AP-42 Table 11.1-14 note a (03/2004)

PM Emissions

Emissions Factor: 0.00059 lb/ton produced
 Maximum Process Rate: 225.0000 ton/hr
 Maximum Hours of Operation: 6500.0000 hours/yr
 Calculations: 0.00059 lb/ton * 225 ton/hr = 0.1328 lb/hr
 0.1328 lb/hr * 6500 hr * 0.0005 lb/ton = **0.4316 ton/yr**

PM10 Emissions

Emissions Factor: ND

CO Emissions

Emissions Factor: 0.00118 lb/ton produced
 Maximum Process Rate: 225.0000 ton/hr
 Maximum Hours of Operation: 6500.0000 hours/yr
 Calculations: 0.00118 lb/ton * 225 ton/hr = 0.2655 lb/hr
 0.2655 lb/hr * 6500 hr * 0.0005 lb/ton = **0.8629 ton/yr**

V. Existing Air Quality

This permit is for a portable drum mix asphalt plant to locate in various locations throughout the state of Montana. Permit conditions have been included in Montana Air Quality Permit #2526-01 to limit the emissions from this plant. In the view of the Department, the amount of controlled particulate emissions generated by this project will not cause concentrations of pollutants in the ambient air that will exceed any set standard.

VI. Air Quality Impacts

MAQP #2526-01 is issued for the operation of a portable hot mix asphalt plant to be originally located in Section 21, Township 16 North, Range 17 East, in Fergus County, Montana. MAQP #2526-01 will cover the plant while operating at any location within Montana, excluding those counties that have a Department approved permitting program. In the view of the Department, the amount of controlled emissions generated by this facility will not exceed any set ambient standard.

VII. Ambient Air Impact Analysis

The Department determined that the impact from this permitting action will be minor. The Department believes it will not cause or contribute to a violation of any ambient air quality standard.

VIII. Taking or Damaging Implication Analysis

As required by 2-10-105, MCA, the Department conducted the following private property taking and damaging assessment.

YES	NO	
xx		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	xx	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	xx	3. Does the action deny a fundamental attribute of ownership? (ex.: right to exclude others, disposal of property)
	xx	4. Does the action deprive the owner of all economically viable uses of the property?
	xx	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? [If no, go to (6)].
		5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
		5b. Is the government requirement roughly proportional to the impact of the proposed use of the property?
	xx	6. Does the action have a severe impact on the value of the property? (consider economic impact, investment-backed expectations, character of government action)
	xx	7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally?
	xx	7a. Is the impact of government action direct, peculiar, and significant?
	xx	7b. Has government action resulted in the property becoming practically inaccessible, waterlogged or flooded?
	xx	7c. Has government action lowered property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?
	xx	Takings or damaging implications? (Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b; the shaded areas)

Based on this analysis, the Department determined there are no taking or damaging implications associated with this permit action.

IX. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act, was completed for this project. A copy is attached.

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air Resources Management Bureau
P.O. Box 200901, Helena, MT 59620
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Century Companies, Inc
P.O. Box 579
Lewistown, MT 59457

Montana Air Quality Permit Number: 2526-01

Preliminary Determination Issued: 5/15/2009

Department Decision Issued: 6/16/2009

Permit Final: 7/2/2009

1. *Legal Description of Site:* The asphalt plant would initially operate in Section 21, Township 16 North, Range 17 East, in Fergus County, Montana. However, MAQP #2526-01 applies while operating at any location in Montana, except those areas having a Department-approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with PM₁₀ non-attainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* An addendum will be required for locations in or within 10 km of certain PM₁₀ non-attainment areas.
2. *Description of Project:* Century submitted a MAQP for Portable Sources application to update the asphalt mixer to a parallel flow drum mixer and the associated burner, and to add two diesel powered engines/generators.
3. *Objectives of Project:* The objective of this project is to continue production of asphalt
4. *Alternatives Considered:* In addition to the proposed action, the Department also considered the “no-action” alternative. The “no-action” alternative would deny issuance of the Montana Air Quality Permit to the proposed facility. However, the Department does not consider the “no-action” alternative to be appropriate because Century has demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the “no-action” alternative was eliminated from further consideration.
5. *A Listing of Mitigation, Stipulations, and Other Controls:* A list of enforceable conditions, including a BACT analysis, would be included in MAQP #2526-01.
6. *Regulatory Effects on Private Property:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.

7. The following table summarizes the potential physical and biological effects of the proposed project on the human environment. The “no-action” alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A	Terrestrial and Aquatic Life and Habitats			xx			Yes
B	Water Quality, Quantity, and Distribution			xx			Yes
C	Geology and Soil Quality, Stability and Moisture			xx			Yes
D	Vegetation Cover, Quantity, and Quality			xx			Yes
E	Aesthetics			xx			Yes
F	Air Quality			xx			Yes
G	Unique Endangered, Fragile, or Limited Environmental Resources			xx			Yes
H	Demands on Environmental Resource of Water, Air and Energy			xx			Yes
I	Historical and Archaeological Sites			xx			Yes
J	Cumulative and Secondary Impacts			xx			Yes

SUMMARY OF COMMENTS ON POTENTIAL PHYSICAL AND BIOLOGICAL EFFECTS: The following comments have been prepared by the Department.

A. Terrestrial and Aquatic Life and Habitats

There is a possibility that terrestrials would use the same area as the proposed project. Impacts on terrestrial and aquatic life would be expected to be minor as MAQP #2526-01 has included restrictions to limit the air emissions of this facility. The permit requires Century’s emissions to meet New Source Performance Standards. Furthermore, MAQP #2526-01 requires daily operational recordkeeping on the emissions control device operated by Century to meet the emissions standards. As a relatively minor source of emissions on an industrial scale, the effects to terrestrial and aquatic life and habitat would be minimized and would be expected to be minor.

B. Water Quality, Quantity and Distribution

Emissions from the proposed project could potentially affect existing resources of water in any proposed project area. As part of the requirements of MAQP #2526-01, Century’s emissions must meet New Source Performance Standards. The emissions control device requires the use of water to capture air emissions from this facility. The water from the scrubbing process goes to settling ponds where the settleable solids are separated by gravity and the clarified water may be used in the scrubbing process again. Impacts to water resources in the proposed project area would be minimized and effects would be expected to be minor.

C. Geology and Soil Quality, Stability and Moisture

The asphalt plant would have impacts on soils in any proposed site location. The limitations in MAQP #2526-01 would keep the facility a relatively small industrial operation. The facility would use relatively small amounts of water for pollution control, and would be expected to have seasonal or intermittent operations. The effects to Geology, Soil Quality, Stability and Moisture would be expected to be minor.

D. Vegetation Cover, Quantity, and Quality

The operations of this facility would typically take place within a previously disturbed area or industrial location. MAQP #2526-01 requires Century's emissions to meet New Source Performance Standards. Furthermore, MAQP #2526-01 requires daily operational recordkeeping on the emissions control device operated by Century to meet the emissions standards. Any impacts to vegetation resources in any given proposed project area would be expected to be minor.

E. Aesthetics

The operations would be visible and would create additional noise in any given area of operation. MAQP #2526-01 would include conditions to control emissions (including visible emissions) from the plant. In addition, the operations would typically take place within a previously disturbed or industrial location. Impacts would be expected to be minor and likely short lived as the source would be permitted with the ability to be portable source.

F. Air Quality

MAQP #2526-01 includes conditions limiting emissions from the equipment. Furthermore, the permit contains the New Source Performance Standards emissions limitations and the recordkeeping requirements to assure proper operation of the emissions control unit. The facility's potential emissions have been limited to less than 100 tons per year for any pollutant. Therefore, the Department has determined that the effects to air quality would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department, in an effort to assess any potential impacts, contacted the Montana Natural Heritage Program (MNHP) to identify any species of special concern associated with the proposed site location. The search included an additional one-mile buffer surrounding the requested area. One species of concern was found, the Sander Canadensis (Sauger).

Operation of this facility in compliance with environmental regulations would minimize any impacts to this species. As described in Section B, affects to water quality and quantity would be expected to be minimal. Therefore, impacts, if any, to Sauger would be expected to be minor.

H. Demands on Environmental Resource of Water, Air and Energy

The operation of this facility requires use of water to control air emissions. The use of settling ponds allows reuse of water and minimizes use of fresh water. Pollutant emissions generated from this facility would have minimal impacts, as described in Section 7.F. The generators would consume energy in the form of diesel fuel, a non-renewable resource. Overall, the equipment is relatively small and would have restrictions placed in MAQP #2526-01. Demands and impacts to the environmental resource of water, air and energy would be minor.

I. Historical and Archaeological Sites

The Department, in an effort to assess any potential impacts to historical or archaeological sites, contacted the Montana State Historic Preservation Office (SHPO) to identify the presence of any known historically significant or archaeological sites in the vicinity of the proposed site location. No such information was found for the proposed site. The facility would usually operate in an already disturbed site and therefore, impacts to historical or archeological sites would be unlikely.

J. Cumulative and Secondary Impacts

The portable asphalt plant would cause minor impacts on the physical and biological environment because the facility would emit pollutants. As a result of the conditions and limitations contained within MAQP #2526-01, impacts would be minimized. There is potential for other operations to locate at this site; however, many operations likely to operate in these types of sites would have to apply for and receive the appropriate permits from the Department prior to operation. Additional operations that fall below permitting requirements would be expected to add an insignificant increase in impacts. These permits would address the environmental impacts associated with the operations at the site. Additionally, this plant, in combination with the other emissions from equipment operations at the operational site, would not be permitted to exceed 250 tons/year of non-fugitive emissions.

8. *The following table summarizes the potential economic and social effects of the proposed project on the human environment. The “no-action” alternative was discussed previously.*

		Major	Moderate	Minor	None	Unknown	Comments Included
A	Social Structures and Mores			xx			Yes
B	Cultural Uniqueness and Diversity			xx			Yes
C	Local and State Tax Base and Tax Revenue			xx			Yes
D	Agricultural or Industrial Production			xx			Yes
E	Human Health			xx			Yes
F	Access to and Quality of Recreational and Wilderness Activities			xx			Yes
G	Quantity and Distribution of Employment			xx			Yes
H	Distribution of Population			xx			Yes
I	Demands for Government Services			xx			Yes
J	Industrial and Commercial Activity			xx			Yes
K	Locally Adopted Environmental Plans and Goals			xx			Yes
L	Cumulative and Secondary Impacts			xx			Yes

SUMMARY OF COMMENTS ON POTENTIAL ECONOMIC AND SOCIAL EFFECTS: The following comments have been prepared by the Department.

A. Social Structures and Mores

The asphalt plant would cause minor disruption to the social structures and mores in the area because the source would be a minor industrial source. The asphalt plant would be required to operate according to the limits and conditions that would be included in MAQP #2526-01, which would limit the effects to social structures and mores.

B. Cultural Uniqueness and Diversity

The asphalt plant operation would cause minor, if any, disruption to the above-cited social structure or cultural uniqueness and diversity of the human environment in any given area of operation because the source would be a minor industrial source. The predominant use of the surrounding area would not be expected to change as a result of the proposed project.

C. Local and State Tax Base and Tax Revenue

The asphalt plant would have little impact on the local and state tax base and tax revenue because the facility would be a minor industrial source. This facility would require only a small number of employees. Furthermore, the impacts to local tax base revenue would be minor because the source is permitted as a portable source and the money generated for taxes may therefore be widespread.

D. Agricultural or Industrial Production

Minimal deposition of air pollutants would occur on the surrounding land, and only minor and temporary impacts would be expected to the surrounding vegetation and land. Any impacts to surrounding agricultural land and practices in a given proposed area of operation would be expected to be minor.

E. Human Health

MAQP #2526-01 would include limits and conditions to ensure that the asphalt plant would be operated in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health. The air emissions from the proposed facility would be minimized by the use of an emissions control unit and other process limits that would be required by MAQP #2526-01. Therefore, only minor impacts would be expected on human health from the facility.

F. Access to and Quality of Recreational and Wilderness Activities

Noise from the asphalt plant may have a minor affect to the area. The asphalt plant is small by industrial standards and would be minimal for the area. Furthermore, the asphalt plant is permitted as a portable facility and therefore any impacts would be expected to be temporary.

G. Quantity and Distribution of Employment

The asphalt plant would require only a small number of employees to operate and as being permitted as a portable source, would be expected to be seasonal and intermittent. Therefore, the quantity and distribution of employment would be minor.

H. Distribution of Population

The asphalt plant would require only a small number of employees to operate and as a facility permitted as a portable source, would be expected to be seasonal and intermittent. Little, if any permanent relocation into or out of the area would be expected. Therefore, the asphalt plant would have minor impacts to the distribution of population.

I. Demands for Government Services

A small increase in traffic would be expected on roadways in the area while the asphalt plant was operating. Also, government services would be required for acquiring the appropriate permits and reviewing associated reporting requirements. However, overall demands for government services would be small and minor.

J. Industrial and Commercial Activity

As described above, the asphalt plant is small on an industrial scale and would require a small amount of employees to operate. Only a small amount of additional industrial or commercial activity would be expected as a result of operation of this asphalt plant. Therefore, the overall change of industrial and commercial activity would be minor.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans or goals in the initial area of operation or any future operating site since MAQP #2526-01 would allow for operations at various unknown locations throughout the state. However, if the facility moved to an area classified as non-attainment for particulate matter, the operation would be required to apply for and receive an addendum to MAQP #2526-01 prior to operation at the site. The state standards would be protective of any proposed area of operation

L. Cumulative and Secondary Impacts

The asphalt plant operations would cause minor cumulative and secondary impacts. Because the source is relatively small, and permitted as a portable source, only minor and temporary impacts would be expected.

Recommendation: No Environmental Impact Statement (EIS) is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: The current permitting action is for the construction and operation of a portable asphalt plant. MAQP #2526-01 includes conditions and limitations to ensure the facility will operate in compliance with all applicable air rules and regulations. In addition, there are no significant impacts associated with this proposal.

Individuals or groups contributing to this EA: Department of Environmental Quality – Air Resources Management Bureau, Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Natural Heritage Program

EA prepared by: Shawn Juers

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