

AIR QUALITY PERMIT

Issued To: Riverside Contracting, Inc. Permit #2658-03
2110 South Reserve St. Modification Request Date: 10/21/99
Missoula, MT 59801 Department Decision on Mod: 11/22/99
Permit Final: 12/08/99
AFS #777-2658

An air quality permit, with conditions, is granted to the above-named permittee, hereinafter referred to as "Riverside," pursuant to Section 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.701, *et seq.*, as amended, for the following:

Section I: Permitted Facilities

- A. Equipment: A portable 1983 Cedar Rapids 8828 Asphalt Plant (400 TPH), serial #38848, and associated equipment.
- B. Original Location: Section 34 (NE $\frac{1}{4}$, SW $\frac{1}{4}$, and NW $\frac{1}{4}$, SE $\frac{1}{4}$), Township 29N, Range 20W, in Flathead County, Montana.
- C. Current Permitting Action: The current permitting action is in response to a request for modification of permit #2658-02, and Addendum 2. The current action will allow for winter months operation (October 1, 1999, through March 31, 2000) at the following location; Section 34 (NE $\frac{1}{4}$, SW $\frac{1}{4}$, and NW $\frac{1}{4}$, SE $\frac{1}{4}$), Township 29N, Range 20W, in Flathead County, Montana. Permit **#2658-03** replaces permit #2658-02 and **Addendum 3** replaces Addendum 2.

Section II: Limitations and Conditions

- A. Operational
 - 1. Asphalt plant emissions are limited to 0.04 gr/dscf (ARM 17.8.340 and 40 CFR Part 60, Subpart I).
 - 2. All visible emissions from the asphalt plant stack are limited to 20% opacity or less averaged over six (6) consecutive minutes (ARM 17.8.304).
 - 3. Riverside shall not cause or authorize to be discharged into the atmosphere from 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 an opacity of 20% or greater averaged over six (6) consecutive minutes (ARM 17.8.340 and 40 CFR 60, Subpart I).
 - 4. Riverside 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. Riverside 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 (ARM 17.8.710).

6. Riverside shall not cause or authorize to be discharged into the atmosphere from material transfer and storage areas any visible emissions that exhibit opacity of 20% or greater (ARM 17.8.308).
7. A device to measure the pressure drop (magnehelic gauge, manometer, etc.) on the control device (baghouse) shall be installed and maintained. Pressure drop shall be measured in inches of water. Temperature indicators at the control device inlet and outlet must be installed and maintained (ARM 17.8.710).
8. Once a stack test is performed, the asphalt production rate is limited to the average production rate during the last source test demonstrating compliance (ARM 17.8.710).
9. Asphalt production is limited to 2,200,000 tons during any 12-month rolling time period (ARM 17.8.710).
10. If the permitted equipment is used in conjunction with any other equipment owned or operated by Riverside, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons/year during any rolling twelve (12) month time period. Any calculations used to establish production levels shall be approved by the Department of Environmental Quality (department) (ARM 17.8.710).

B. Emission Testing

1. An EPA Methods 1-5, and 9 source test must be performed on the asphalt plant every four years after the initial source test to demonstrate compliance with the conditions specified in Section II.A. 1 and 2. The latest source test was conducted on September 6, 1996 (ARM 17.8.105 and ARM 17.8.710).
2. Pressure drop on the control device and temperatures must be recorded during the test and reported as part of the test results (ARM 17.8.710).
3. All source tests must be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
4. Since asphalt production will be limited to the average production rate during the test, it is suggested the test be performed at the highest production rate practical (ARM 17.8.710).
5. Riverside may retest at any time in order to test at a higher production rate (ARM17.8.710).
6. The department may require further testing (ARM 17.8.105).

C. Reporting Requirements

1. If this asphalt plant is moved to another location, a Notice of Intent to Transfer Location of Air Quality Permit shall be published in a newspaper of general circulation in the area to which the transfer is to be made. This notice shall be published at least fifteen (15) days prior to the move. Proof of

publication and a change of location form shall be submitted to the Montana Department of Environmental Quality prior to the move. These forms are available from the department (ARM 17.8.734).

2. Riverside shall maintain on-site records showing daily hours of operation and daily production rates for the last twelve (12) months. These records must be available for inspection by the department and must be submitted to the department upon request (ARM 17.8.710).
3. Riverside shall retain daily production numbers for a minimum of five (5) years (ARM 17.8.710).
4. Riverside shall supply the department with annual production information for all emission points, as required by the department, in the annual emissions inventory request. The request will include, but is not limited to, all sources of emissions identified in the most recent emission inventory report and sources identified in Section I.A of this permit.

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 units as required by the department.

5. Riverside shall document, by month, the production of the asphalt plant. By the 25th of each month, Riverside shall total the monthly throughput of the asphalt plant during the previous twelve months to verify compliance with the limitation in Section II.A.9. A written report of the compliance verification shall be submitted along with the annual emissions inventory (ARM 17.8.710).
6. Riverside shall notify the department of any construction or improvement project conducted pursuant to ARM 17.8.705(1)(r) that would include a 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 or the addition of a new emissions unit. The notice must be submitted to the department, in writing, 10 days prior to start up 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 17.8.705(1)(r)(iv) (ARM 17.8.705).

Section III: Addendum 3

Riverside shall comply with all conditions in Addendum 3 to this permit as appropriate (ARM 17.8.710).

Section IV: General Conditions

- 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, auditing any monitoring equipment (CEMS,

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 the recipient fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving the permittee of the responsibility for complying with any applicable federal, or Montana statute, rule or standard, except as specifically provided in ARM 17.8.701, *et seq.* (ARM 17.8.717).
- 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 fifteen (15) days after the department renders its decision, upon affidavit setting forth the grounds therefor, 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. Permit Inspection - As required by ARM 17.8.716, 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. Construction Commencement - Construction must begin within three years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked.
- H. Permit Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, the continuing validity of this permit is conditional upon the payment by the permittee of an annual operation fee, as required by that Section and rules adopted thereunder by the Board of Environmental Review.
- 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. Riverside shall comply with the conditions contained in this permit while operating in any location in the State of Montana, except within those areas that have a department approved permitting program.

PERMIT ANALYSIS
Riverside Contracting, Inc.
Permit Number 2658-03

I. Introduction

A. Permit History

On September 11, 1990, permit **#2658-00** was issued to Riverside Contracting to operate a 1983 Cedarapids 8828 portable drum mix asphalt plant (400 TPH), serial #38848, and associated equipment.

On March 5, 1996, Riverside requested that permit #2658-00 be modified to allow the asphalt plant to operate in or within 10 kilometers of any PM-10 nonattainment area during the summer months (April 1 through September 30). Permit **2658-01** replaced permit #2658-00 and **Addendum 1** was established.

On December 16, 1998, Riverside submitted a request for modification of permit #2658-01 and Addendum 1. The request included an addendum to allow for summer months operation (April 1 through September 30) in or within 10km of any of the following PM-10 non-attainment areas (NAA): Kalispell, Whitefish, Colombia Falls, Butte, Lincoln, Libby, and Thompson Falls. In addition, because the initial tests have been completed, Riverside requested that the initial source testing language be removed from section II.B of the permit. The plant is responsible for emission testing every four (4) years from the latest test, which was conducted on September 6, 1996. Permit **#2658-02** replaced permit #2658-01 and **Addendum 2** replaced Addendum 1.

B. Current Permitting Action:

The current permitting action is in response to a request for modification of permit #2658-02, and Addendum 2. The current permit action will allow for winter months operation (October 1, 1999, through March 31, 2000) at the following location; Section 34 (NE¼, SW¼, and NW¼, SE¼), Township 29N, Range 20W, in Flathead County. According to department policy, because the selected operating site is within 10 km of the Kalispell PM-10 non-attainment area (NAA), the department has conducted SCREEN 3 modeling to ensure compliance with national ambient air quality standards (NAAQS). Permit **#2658-03** replaces permit #2658-02 and **Addendum 3** replaces Addendum 2.

C. Additional Information

Additional information, such as applicable rules and regulations, BACT/RACT determinations, air quality impacts, and environmental assessments, are included in the permit analysis associated with each change to the permit.

II. Applicable Rules and Regulations

The following are partial quotations of some applicable rules and regulations which 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 locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Sub-Chapter 1, General Provisions, including, but not limited to:

1. 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.
2. ARM 17.8.111, Circumvention. No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate an air pollution control regulation. No equipment that may produce emissions shall be operated or maintained in such a manner that a public nuisance is created.
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 Montana Clean Air Act, 75-2-101, *et seq.*, MCA.

Riverside shall comply with all requirements contained in the Montana Source Testing 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 Testing Protocol and Procedures Manual is available from the AQD upon request.

B. ARM 17.8, Sub-Chapter 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.
5. ARM 17.8.223, Ambient Air Quality Standard for PM-10.

Riverside must comply with the applicable ambient air quality standards. Reference Section V, Existing Air Quality and Air Quality Impacts.

C. ARM 17.8, Sub-Chapter 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 to an outdoor

atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over six (6) consecutive minutes.

2. ARM 17.8.308, Particulate Matter, Airborne. Under this section, Riverside 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 17.8.340, Standard of Performance for New Stationary Sources. The owner or operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, shall comply with the standards and provisions of 40 CFR Part 60. Based on the information submitted by Riverside, the portable 1983 Cedar Rapids 8828 asphalt plant and associated equipment are affected facilities under NSPS (40 CFR Part 60, Subpart A General Provisions, and Subpart I Hot Mix Asphalt Facilities).

D. ARM 17.8, Sub-Chapter 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. Riverside shall submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the department. This permitting action is considered a modification and represents no increase in emissions. Therefore, no application fee is required.
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. This operation fee is based on the actual or estimated 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, as 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 which pro-rate the required fee amount.

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

1. ARM 17.8.704, General Procedures for Air Quality Pre-construction Permitting. An air quality pre-construction permit shall contain requirements and conditions applicable to both construction and subsequent use.

2. ARM 17.8.710, Conditions for Issuance of Permit. This rule requires that the source demonstrate compliance with applicable rules and standards before a permit can be issued. Also, a permit may be issued with such conditions as are necessary to assure compliance with all applicable rules and standards. Riverside has demonstrated compliance with applicable rules and standards as required for permit issuance.
 3. ARM 17.8.715, Emission Control Requirements. Riverside is required to install, on a new or altered source, the maximum air pollution control capability which is technically practicable and economically feasible, except that a Best Available Control Technology (BACT) shall be utilized. A BACT review was conducted for permit #2658-00. Since this permit action does not reflect a change in emissions, the determinations made in the BACT review conducted for permit #2658-00 are still considered applicable.
 4. ARM 17.8.716, 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.
 5. ARM 17.8.717, Compliance with Other Statutes and Rules. This rule does not relieve the permit holder from the responsibility of compliance with all other applicable federal and Montana statutes, rules and standards.
 6. ARM 17.8.731, Duration of Permit. An 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 altered 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 one year after the permit is issued.
 7. ARM 17.8.733, Modification of Permit. An air quality permit may be modified for changes in any applicable rules and standards adopted by the board or changed conditions of operation at a source or stack which do not result in an increase in emissions because of those changed conditions of operation. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.
 8. ARM 17.8.734, Transfer of Permit. An air quality permit may be transferred from one location to another if written notice of intent to transfer is sent to the department.
- F. 17.8, Sub-Chapter 8, Prevention of Significant Deterioration (PSD), 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 Federal Clean Air Act (FCAA) that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source because it is not listed and does not have the potential to emit more than 250 tons per year (excluding fugitive emissions) of any air 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.
 - i. Potential To Emit (PTE) > 10 tons/year of any one hazardous air pollutant (HAP), or
 - ii. PTE > 25 tons/year of a combination of all HAPs, or
 - iii. lesser quantity as the department may establish by rule.
- b. PTE > 100 tons/year of any pollutant.
- c. Sources with the PTE > 70 tons/year of PM-10 in a serious PM-10 nonattainment area.

2. ARM 17.8.1204, Air Quality Operating Permit Program Applicability. 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 Air Quality Permit #2658-03 for Riverside, the following conclusions were made:

- a. The facility's PTE is less than 100 tons/year for all criteria pollutants.
- b. The facility's PTE is less than 10 tons/year of any one HAP and less than 25 tons/year of all HAPs.
- c. This source is not located in a serious PM-10 nonattainment area.
- d. This facility is not subject to any current NESHAP standards.
- e. This source is not a Title IV affected source nor a solid waste combustion unit.
- f. This source is not an EPA designated Title V source.

Riverside Construction, Inc. is not subject to Title V Operating Permit requirements. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, Riverside will be required to obtain an Operating Permit.

- g. (2) 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 potential to emit:

- i. In applying for an exemption under this section the owner or operator of the source shall certify to the department that the source's potential to emit..., does not require the source to obtain an air quality operating permit.
- ii. Any source that obtains a federally enforceable limit on potential to emit shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit.

The department has determined that the annual reporting requirements contained in the permit are sufficient to satisfy this requirement.

3. ARM 17.8.1207, Certification of Truth, Accuracy, and Completeness

The compliance certification submittal required by 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. Emission Inventory -- Permit #2658-03

Source	tons/yr					
	PM	PM-10	NOx	VOC	CO	Sox
1983 Drum Mix Asphalt Plant w/ baghouse	19.97	9.99	33.00	56.10	61.60	3.63
Elevators, Screens, Bins, and Mixer	41.25	33.00				
Cold Aggregate Handling	55.00	44.00				
Haul Roads	2.74	1.23				
Diesel Generator (400 kw)	1.55	1.55	53.10	1.56	12.17	17.90
Total	120.51	89.77	86.10	57.66	73.77	21.53

- A complete emission inventory for permit #2658-03 is on file with the department.

Addendum 3
Riverside Contracting, Inc.
Permit #2658-03

An addendum to air quality permit #2658-03 is issued to Riverside Contracting, Inc. (Riverside) pursuant to Section 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.734, as amended, for the following:

Permitted Equipment: A portable 1983 Cedarapids Drum Mix Asphalt Plant (maximum capacity 400 TPH), Serial #38848, and associated equipment.

Location: Section 34 (NE¼, SW¼ and NW¼, SE¼), Township 29N, Range 20W, in Flathead County.

Expiration Date: March 31, 2000

LIMITATIONS AND CONDITIONS

A. Operational

1. All visible emissions from the asphalt plant stack shall be limited to 10% opacity averaged over six (6) consecutive minutes (ARM 17.8.710).
2. Riverside shall not cause or authorize to be discharged into the atmosphere from 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 an opacity of 10% averaged over six consecutive minutes (ARM 17.8.710).
3. Riverside shall treat all unpaved portions of the access roads, parking lots, and general plant area with water and/or dust suppressant as necessary to maintain compliance with 10% opacity limitation (ARM 17.8.710).
4. Riverside shall not operate the equipment listed in Section I.A of permit #2658-03 at the same time as the equipment listed in Section I.A of permit #2775-02 and permit #2561-03, if the equipment is at the same location (ARM 17.8.710).
5. Asphalt production shall be limited to 576 tons per any rolling 24-hour time period (ARM 17.8.710).
6. Hours of operation are limited to any 11 hours/day, between 7:00 a.m. and 7:00 p.m. (ARM 17.8.710).

B. Reporting Requirements

1. Riverside shall provide the department with written notification of job completion within 10 working days of job completion (ARM 17.8.710).
2. Riverside shall provide written notice of relocation of the permitted equipment within 15 working days of physical transfer of equipment (ARM 17.8.734).
3. Production information for the sites covered by this addendum must be submitted to the department within thirty (30) days of completion of the project or expiration of Addendum 3. The information must include (ARM 17.8.710):
 - a. Tons of asphalt produced.
 - b. Daily hours of operation.
 - c. Gallons of diesel used for generators at each site.
 - e. Fugitive dust information consisting of all plant vehicles, including the following:
 - i. number of vehicles operated on site with a rated load capacity

less than 50 tons, between 50 and 100 tons, and greater than 100 tons; and

ii. total on-site vehicle miles traveled for vehicles with a rated load capacity less than 50 tons, between 50 and 100 tons, and greater than 100 tons.

f. Fugitive dust control for haul roads and general plant area:

i. Hours of operation of water trucks; and

ii. Application schedule for chemical dust suppressant, if applicable.

Addendum 3 Analysis
Riverside Contracting, Inc.
Permit #2658-03

I. Permitted Equipment: A portable 1983 Cedarapids Drum Mix Asphalt Plant (400 TPH) and associated equipment.

II. Permit History

On September 11, 1990, permit **#2658-00** was issued to Riverside Contracting to operate a 1983 Cedarapids 8828 portable drum mix asphalt plant #38848 and associated equipment.

On March 5, 1996, Riverside requested that permit #2658-00 be modified to allow the asphalt plant to operate within 10 kilometers of any PM-10 nonattainment area during the summer months (April 1 through September 30). Permit **2658-01** replaced permit #2658-00 and **Addendum 1** was established.

On December 16, 1998, Riverside submitted a request for modification of permit #2658-01 and Addendum 1. The request included an addendum to allow for summer months operation (April 1 through September 30) in or within 10km of any of the following PM-10 non-attainment areas (NAA): Kalispell, Whitefish, Colombia Falls, Butte, Lincoln, Libby, and Thompson Falls. In addition, because the initial tests have been completed, Riverside requested that the initial source testing language be removed from section II.B of the permit. The plant is responsible for emission testing every four (4) years from the latest test, which was conducted on September 6, 1996. Permit **#2658-02** replaced permit #2658-01 and **Addendum 2** replaced Addendum 1.

III. Current Permitting Action:

The current permitting action is in response to a request for modification of permit #2658-02, and Addendum 2. The current permit action will allow for winter months' operation (October 1, 1999, through March 31, 2000) at the following location; Section 34 (NE¼, SW¼, and NW¼, SE¼), Township 29N, Range 20W, in Flathead County, MT. According to department policy, because the selected operating site is within 10 km of the Kalispell PM-10 non-attainment area (NAA) the department has conducted SCREEN 3 modeling to ensure compliance with national ambient air quality standards (NAAQS). Permit **#2658-03** replaces permit #2658-02 and **Addendum 3** replaces Addendum 2.

IV. 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 and are available upon request from the department. Upon request, the department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

1. ARM 17.8.710, Conditions for Issuance of Permit. This rule requires that the source

demonstrate compliance with applicable rules and standards before a permit can be issued. Also, a permit may be issued with such conditions as are necessary to assure compliance with all applicable rules and standards. The source has demonstrated compliance with applicable rules and standards as required for permit issuance.

2. ARM 17.8.733, Modification of Permit. An air quality permit may be modified for changes in any applicable rules or standards adopted by the board or changed conditions of operation at a source or stack which do not result in an increase in emissions because of the changed conditions of operation. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit. The current permit modification is to allow the facility to operate in any PM-10 nonattainment area through September 30, 1999.
3. ARM 17.8.734, Transfer of Permit. An air quality permit may be transferred from one location to another if:
 - a) Written notice of intent to transfer location and public notice is sent to the department;
 - b) The source will operate in the new location less than one year; and
 - c) The source will not have any significant impact upon any nonattainment area or upon any Class I area.

The conditions and controls of this Addendum will keep Riverside from having a significant impact on any of the PM-10 nonattainment areas.

V. Emission Inventory--Addendum 3 to permit #2658-03

Source	TSP	PM-10	lbs/day NOx	VOC	CO	SOX
Asphalt Plant Drum Dryer	174.29	87.14	17.28	29.38	32.26	1.90
Elevators / Screens / Bins / Mixer	21.60	17.28	0	0	0	0
Cold Aggregate Handling	28.80	23.04	0	0	0	0
Haul Roads	15.00	6.75	0	0	0	0
Diesel Generator	13.52	13.52	463.45	13.61	106.21	156.22
Total	253.21	147.73	480.73	42.99	138.46	158.12

- A complete emission inventory for Addendum 3 to permit #2658-03 is on file with the department.

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

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued for: Riverside Contacting, Inc.
 2110 Reserve St.
 Missoula, MT 59801

Permit #: 2658-03 (Addendum 3)

Modification Request Date: 10/21/99

Department Decision on Modification Issued: 11/22/99
 Final Permit Issued: 12/08/99

Montana Environmental Policy Act (MEPA) Compliance: An environmental assessment required by the Montana Environmental Policy Act, was completed for this project as follows:

Legal Description of Site: Section 34 (NE¼, SW¼, and NW¼, SE¼), Township 29N, Range 20W, in Flathead County, Montana.

Description of Project: This addendum is for the operation of a portable 1983 Cedar Rapids 8828 Asphalt Plant (400 TPH), serial #38848, and associated equipment, to be located within 10 kilometers of the Kalispell PM-10 non-attainment area during the winter months (October 1, 1999, through March 31, 2000).

Benefits and Purpose of Proposal: Increased business and revenue for the company. This plant produces asphalt concrete for use in various construction and road improvement projects.

Description and analysis of reasonable alternatives whenever alternatives are reasonably available and prudent to consider: No reasonable alternatives available.

A listing and appropriate evaluation of mitigation, stipulations and other controls enforceable by the agency or another government agency: A list of enforceable conditions is contained in permit #2658-03 and in Addendum 3 to the permit.

Description and analysis of regulatory impacts on private property rights: The department has considered alternatives to the conditions imposed in this permit as part of the permit development. The department has determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those applicable requirements and do not unduly restrict private property rights.

Potential Impact on Physical Environment						
	Major	Moderate	Minor	None	Unknow	Comment
2658-03	11					ADDENDUM 3: 12/08/99

						n	s Included
1	Terrestrial and Aquatic Life and Habitats			X			Yes
2	Water Quality, Quantity and Distribution			X			Yes
3	Geology and Soil Quality, Stability and Moisture			X			Yes
4	Vegetation Cover, Quantity and Quality			X			Yes
5	Aesthetics			X			Yes
6	Air Quality			X			Yes
7	Unique Endangered, Fragile or Limited Environmental Resource				X		Yes
8	Demands on Environmental Resource of Water, Air and Energy			X			Yes
9	Historical and Archaeological Sites				X		Yes
10	Cumulative and Secondary Impacts			X			Yes

Potential Impact on Human Environment							
		Major	Moderate	Minor	None	Unknown	Comments Included
1	Social Structures and Mores				X		Yes
2	Cultural Uniqueness and Diversity				X		Yes
3	Local and State Tax Base and Tax Revenue			X			yes
4	Agricultural or Industrial Production			X			yes
5	Human Health			X			yes
6	Access to and Quality of Recreational and Wilderness Activities			X			yes
7	Quantity and Distribution of Employment				X		yes
8	Distribution of Population				X		yes
9	Demands for Government Services			X			yes
10	Industrial and Commercial Activity			X			yes
11	Locally Adopted Environmental Plans and Goals				X		yes
12	Cumulative and Secondary Impacts			X			yes

SUMMARY OF COMMENTS ON POTENTIAL IMPACTS: The following comments have been prepared by the Department.

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

1. Terrestrial and Aquatic Life and Habitats

Terrestrials will use the areas in which the asphalt operations occur. However, the asphalt operations alone will present only minor affects to the terrestrial life.

2. Water Quality, Quantity and Distribution

Water will be used as pollution control, but will only cause a minor disturbance to the area. No surface water or ground water quality problems are expected as a result of using water for pollution control. Any accidental spills or leaks from equipment will be handled according to the appropriate environmental regulations in an effort to minimize any potential adverse impact on the immediate and surrounding area.

3. Geology and Soil Quality, Stability and Moisture

The soils in the affected pit area will be impacted by the asphalt operations. The impacts will be minor due to the relatively small size of the operation.

4. Vegetation Cover, Quantity and Quality

Existing vegetative cover will be affected by the proposed project. However, any impact will be minor due to the portable and temporary nature of the operation.

5. Aesthetics

The asphalt operations will be visible and will create additional noise in the area. Permit #2658-03 includes conditions to control emissions (including visible emissions) from the plant. Since the asphalt operations are small, and temporary, any aesthetic impact will be minimal.

6. Air Quality

The air quality impacts from the asphalt operations are minor. Permit #2658-03 includes conditions limiting the opacity from the plant, as well as requiring water spray bars and other means to control air pollution. In addition, because the proposed location is within the Kalispell non-attainment area, Addendum 3 to permit #2658-03 includes more stringent limitations for operations taking place within the pit.

7. Unique Endangered, Fragile or Limited Environmental Resources

The department has contacted the Montana Natural Heritage Program (MNHP) in an effort to identify any species of special concern that may be found in the proposed area. Search results have concluded there are two such environmental resources on file for the area. Area, in this case, will be defined by the township and range of the

proposed site, with an additional one-mile buffer. These species of special concern include the Beaked Spikerush and the Grizzly Bear. While these resources are found in specific habitats within the defined area, the MNHP search did not indicate any species of special concern located directly on the proposed site. Therefore, it is unlikely that any of the previously listed species will be adversely affected by the proposed project.

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

The asphalt operations will only demand small quantities of water, air, and energy for proper operating. Generally, the operations are seasonal, which results in smaller demands on the environmental resources.

9. Historical and Archaeological Sites

The asphalt operation will take place within a previously disturbed Industrial open cut pit. According to the Montana State Historic Preservation Office, there is low likelihood of disturbance to any known archaeological or historic site given any previous industrial disturbance in the area. Therefore, it is unlikely that the asphalt operation will have an adverse affect on any known historic or archaeological site.

10. Cumulative and Secondary Impacts

The asphalt operations will cause a minor affect to both the physical environment and human environment. There is potential for other operations to locate at the site. However, any operations will have to apply for and hold the appropriate permits from the department prior to operation. These permits will address the environmental impacts associated with the operations at the proposed site. The crusher operations are limited by permit #2658-03 to total particulate emissions of 250 tons/year or less from the operations and any other additional equipment used at the site.

In addition, because the proposed site location is within the Kalispell PM-10 non-attainment area, Addendum 3, to permit #2658-03, outlines more stringent conditions and restrictions applicable to operation at the proposed site.

POTENTIAL IMPACT ON HUMAN ENVIRONMENT

1. Social Structures and Mores

In the view of the department the asphalt operation will cause no disruption to native or traditional lifestyles or communities of any potential site or area of operation

2. Cultural Uniqueness and Diversity

In the view of the department it is unlikely that the asphalt operations will have an adverse impact on the cultural uniqueness and diversity of any proposed area of operation.

3. Local and State Tax Base and Tax Revenue

The proposed asphalt operations will have little, if any, effect on local and state tax base and tax revenue. The facility is a relatively small and temporary source and, therefore,

will not remain at the proposed site for any substantial period of time.

4. Agricultural or Industrial Production

The asphalt operations will take place in a previously disturbed industrial gravel pit. Therefore, the permitted operation will not adversely affect or displace any agricultural land.

In addition, the asphalt operations are small by industrial standards and will, therefore, have only a minor impact on any local industrial production.

5. Human Health

Permit #2658-03 incorporates conditions to ensure that the asphalt operations will be operated in compliance with all applicable rules and standards. These rules and standards are designed to be protective of human health.

6. Access to and Quality of Recreational and Wilderness Activities

The asphalt operations will not affect any access to recreational and wilderness activities. However, minor affects to the quality of recreational activities may be created by the noise from the site. Any impacts from the site will be minor and temporary due to the relatively small size and portable nature of the operations.

7. Quantity and Distribution of Employment

Given the relatively small size and temporary nature of the operation, it is not expected that the activities from the asphalt operations will affect the quantity and distribution of employment in the area.

8. Distribution of Population

Given the relatively small size and temporary nature of the operation, it is not expected that the activities from the asphalt operations will disrupt the normal population distribution in the area.

9. Demands of Government Services

Minor increases will be seen in traffic on existing roads in the area while the asphalt operations are in progress. In addition, government services will be required for acquiring the appropriate permits from government agencies. Demands for government services will be minimal.

10. Industrial and Commercial Activity

The asphalt operations represent only a minor increase in the industrial activity in any given area. No additional industrial or commercial activity is expected as a result of the asphalt operations.

11. Locally Adopted Environmental Plans and Goals

The department is not aware of any locally adopted environmental plans or goals. The state standards will protect the proposed site and the environment surrounding the site.

12. Cumulative and Secondary Impacts

The asphalt operations will cause a minor effect to both the physical environment and human environment. There is potential for other operations to locate at these sites. However, any operations will have to apply for and hold the appropriate permits from the department prior to operation. These permits will address the environmental impacts associated with the operations at the proposed site. The asphalt operations are limited by permit #2658-03 to total particulate emissions of 250 tons/year or less from non-fugitive operations and any other additional equipment used at the site.

In addition, because the proposed operating site is within the Kalispell non-attainment area, Addendum 3, to permit #2658-0, outlines more stringent conditions and restrictions applicable to operation at the proposed site.

Recommendation: No EIS is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: Since this plant is a portable source, it is unlikely there will be any significant impact. Permit #2658-03 and Addendum 3 include conditions and limitations, which, if properly applied, will safeguard any potential environmental threat created by the proposed asphalt operation.

Other groups or agencies contacted or which may have overlapping jurisdiction: Department of Environmental Quality, State Historic Preservation Office (Montana Historical Society).
Industrial and Energy Minerals Bureau,

Individuals or groups contributing to this EA: Department of Environmental Quality, Air and Waste Management Bureau, Industrial and Energy Minerals Bureau, Permitting and Compliance Division, State Historic Preservation Office (Montana Historical Society).

EA prepared by: M. Eric Merchant, MPH
Date: November 19, 1999