



Montana Department of
ENVIRONMENTAL **Q**UALITY

Brian Schweitzer, Governor

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July 27, 2009

Jon Sherman
LaSalle Sand and Gravel, LLP
175 Jellison Road
Kalispell, MT 59901

Dear Mr. Sherman:

Montana Air Quality Permit #3026-03 is deemed final as of July 25, 2009, by the Department of Environmental Quality (Department). This permit is for a portable aggregate washing facility. 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

Karen Gillespie
Environmental Engineer Intern
Air Resources Management Bureau
(406) 782-2689 ext. 207

VW:KG
Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Montana Air Quality Permit #3026-03

LaSalle Sand and Gravel, LLP
175 Jellison Road
Kalispell, MT 59901

July 25, 2009



MONTANA AIR QUALITY PERMIT

Issued To: LaSalle Sand and Gravel, LLP MAQP: #3026-03
175 Jellison Road Administrative Amendment (AA) Request
Kalispell, MT 59901 Received: 04/29/09
Department Decision on AA: 07/09/09
Permit Final: 07/25/09
AFS #777-3026

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to LaSalle Sand and Gravel, LLP (LaSalle), 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

LaSalle operates a portable aggregate washing facility at various locations throughout Montana. However, MAQP #3026-03 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.

MAQP #3026-03 and Addendum 4 apply to this LaSalle facility while operating at any location in or within 10 km of certain PM₁₀ nonattainment areas, including the initial site location, Section 36, Township 30 North, Range 21 West, in Flathead County, Montana. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* A complete list of the permitted equipment is contained in Section I.A of the permit analysis.

B. Current Permit Action

On April 29, 2009, the Department received a letter from LaSalle requesting the Standards of Performance for New Stationary Sources (NSPS) language be removed as it is no longer applies to this facility. The current permit action removes the NSPS language in the permit and Addendum 3 and updates the permit and Addendum 3 to reflect the current language and rule references used by the Department.

Section II: Conditions and Limitations

A. Emission Limitations

1. All visible emissions from any non-NSPS affected equipment shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304 and ARM 17.8.752).
2. Water and water spray bars shall be available on site at all times and operated, as necessary, to maintain compliance with the opacity limitations in Sections II.A.1 (ARM 17.8.749 and ARM 17.8.752).
3. LaSalle 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 and ARM 17.8.752).

4. LaSalle 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.3 (ARM 17.8.749).
5. The wash plant screen production from the facility is limited to 876,000 tons during any rolling 12-month period (ARM 17.8.749).
6. LaSalle shall not operate more than one wash plant screening unit at any given time and the maximum rated design capacity of the screen shall not exceed 100 TPH (ARM 17.8.749).
7. LaSalle shall not operate more than one diesel engine/generator at any given time and the maximum rated design capacity of the engine/generator shall not exceed 250 horsepower (hp) (ARM 17.8.749).
8. If the permitted equipment is used in conjunction with any other equipment owned or operated by LaSalle, 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).

B. Testing Requirements

1. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
2. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this portable aggregate washing facility 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. LaSalle 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. LaSalle 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 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 17.8.745(1)(d) (ARM 17.8.745).

4. LaSalle 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 LaSalle 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).

Section III: General Conditions

- A. Inspection - LaSalle 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 (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 LaSalle fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving LaSalle 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.* (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 LaSalle 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. LaSalle shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas having a Department-approved permitting program or areas considered tribal lands.

PERMIT ANALYSIS
LaSalle Sand and Gravel, LLP
MAQP #3026-03

I. Introduction/Process Description

A. Permitted Equipment

LaSalle Sand and Gravel, LLP (LaSalle) owns and operates a portable aggregate washing facility consisting of a portable 1998 Spomac wash plant - 5 foot (ft) x 16 ft 3-deck screen (100 tons per hour (TPH)), seven 1998 Spomac conveyor belts, a 1998 250 horsepower (hp) Spokane diesel generator/engine, and associated equipment.

Montana Air Quality Permit (MAQP) #3026-03 applies to the source while operating at any location in Montana, except within those areas having a Department of Environmental Quality (Department) approved permitting program and those areas considered tribal lands. MAQP# 3026-03 and Addendum 4 apply to the LaSalle facility while operating at any location in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas, including the initial site location, Section 36, Township 30 North, Range 21 West, in Flathead County, Montana.

B. Source Description

LaSalle proposes to use this wash plant and associated equipment to wash crushed sand and gravel materials for use in various construction operations.

C. Permit History

On November 2, 1998, LaSalle submitted a complete permit application to operate a portable gravel crushing plant consisting of a 1954 (15 ft x 22 ft) Cedar Rapids jaw crusher (equipment design: 70 TPH), a 1954 (40 ft x 22 ft) Pioneer roll crusher (equipment design: 70 TPH), a 1984 Cay Manufacturing screen deck (equipment design: 100 TPH), a 1997 Fabtec Pro screen plant (equipment design: 200 TPH), a 1998 Spokane diesel generator (125-kilowatt (kW)), a Delco Detroit diesel generator (350 kW), a Barber Green radial stacker, a 1998 Spomac wash plant, and associated equipment. A complete equipment list was included with the permit analysis. The facility initially operated in Section 36, Township 30 North, Range 21 West, in Flathead County, Montana. The application was assigned **MAQP #3026-00**. Also, **Addendum 1** to MAQP #3026-00 was established.

On September 24, 2004, the Department received a letter from LaSalle requesting an administrative amendment to update MAQP #3026-00. Specifically, LaSalle requested the Department remove the crusher and associated equipment from MAQP #3026-00. The equipment remaining was the 1998 Spomac wash plant (100 TPH), seven 1998 Spomac conveyor belts, and a 1998 125-kW Spokane diesel generator. The permit action removed the crusher and associated equipment from MAQP #3026-00, updated the addendum to reflect the current equipment and operating scenario for the facility, and updated the permit to reflect current permit language and rule references used by the Department. **MAQP #3026-01** replaced MAQP #3026-00 and **Addendum 2** replaced Addendum 1.

On September 24, 2004, the Department received a letter from LaSalle requesting an administrative amendment to update MAQP #3026-00. Specifically, LaSalle requested the Department remove the crusher and associated equipment from MAQP #3026-00. However, the Department inadvertently included inaccurate language in Addendum 2. Specifically, Addendum 2 did not allow operations in the summer season and allowed operations during the winter season. This permit action clarified the language in Addendum 2 while the facility is operating in PM₁₀ non-attainment areas. **MAQP #3026-02** replaced MAQP #3026-01 and **Addendum 3** replaced Addendum 2.

D. Current Permit Action

On April 29, 2009, the Department received a letter from LaSalle requesting the Standards of Performance for New Stationary Sources (NSPS) language be removed. The current permit action removes the NSPS language in the MAQP and Addendum 3 and updates the MAQP and Addendum 3 to reflect the current language and rule references used by the Department.

MAQP #3026-03 replaces MAQP #3026-02 and **Addendum 4** replaces Addendum 3.

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 locations 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 is 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).

LaSalle 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 Standards for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standards for PM₁₀

LaSalle 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, LaSalle 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 Processes. 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 Standards of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR Part 60, NSPS. This facility is not an NSPS

affected source because it does not meet the definition of any NSPS subpart defined in 40 CFR Part 60.

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 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. A permit fee is not required for the current permit action because the permit action is considered an administrative permit change.
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 facility to obtain an air quality permit or 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. LaSalle has a PTE greater than 15 tons per year of total particulate matter (PM) and oxides of nitrogen (NO_x); therefore, an air quality 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. A permit application was not required for the current permit action because the permit change is considered an administrative permit change. (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. An affidavit of publication of public notice was not required for the current permit action because the permit change is considered an administrative permit change.

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 LaSalle 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 17.8.762 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 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.
12. ARM 17.8.763 Revocation of Permit. An 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).
13. ARM 17.8.764 Administrative Amendment to Permit. An 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.

14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an 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 an 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 Modifications-- 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 (excluding fugitive emissions).

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 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 #3026-03 for LaSalle, 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 not subject to any current NSPS.

- e. This facility is not subject to any current National Emissions Standards for Hazardous Air Pollutants (NESHAPs).
- 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.

Based on these facts, the Department has determined that LaSalle will be a minor source of emissions as defined under Title V.

III. BACT Analysis

A BACT determination is required for any new or modified source. LaSalle shall install on the new or modified source the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. A BACT determination was not required for the current permit action because the permit change is considered an administrative permit change.

IV. Emission Inventory

Source	Tons/Year					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
Spomac Wash Plant – 5 ft x 16 ft 3-deck Screen (100 TPH)	4.14	1.97				
Material Transfer (10 Material Transfers, 70 TPH)	2.67	1.29				
Pile Forming (3 Piles, 70 TPH)	2.32	1.10				
Bulk Loading (3 Bulk Loading, 70 TPH)	2.32	1.10				
Engine/Generator (250 hp)	1.61	1.61	22.76	1.81	4.90	1.50
Haul Roads	2.74	1.23				
Total	15.79	8.31	22.76	1.81	4.90	1.50
PSD	10.74					

- A complete emission inventory for MAQP #3026-03 is on file with the Department.

V. Existing Air Quality

Addendum 4 of MAQP #3026-03 would cover this portable aggregate washing facility while operating in or within 10 km of certain PM₁₀ non-attainment areas during the summer months (April 1 through September 30) and winter months (October 1 through March 31). MAQP #3026-03 would also cover this facility while operating in areas classified as attainment or unclassified for ambient air quality standards.

VI. Air Quality Impacts

This permit is for a portable aggregate washing facility to be located at various locations around Montana. The Department has determined that, with conditions and limitations, LaSalle will maintain compliance with all ambient air quality standards. MAQP #3026-03 outlines the conditions and limitations that apply when LaSalle operates in or within 10 km of a PM₁₀ non-attainment area. This permit contains operational conditions and limitations that would protect air quality for this site and the surrounding area. Also, this facility is a portable source that would operate on an intermittent and temporary basis, so any effects to air quality will be minor and short-lived. Further, the amount of controlled particulate emissions generated by this project should not cause concentrations of PM₁₀ in the ambient air that exceed the set standard.

VII. Ambient Air Impact Analysis

Ambient air modeling was not required for the current permit action because the permit change is considered an administrative permit change.

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	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deny a fundamental attribute of ownership? (ex.: right to exclude others, disposal of property)
	X	4. Does the action deprive the owner of all economically viable uses of the property?
	X	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?
	X	6. Does the action have a severe impact on the value of the property? (consider economic impact, investment-backed expectations, character of government action)
	X	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?
	X	7a. Is the impact of government action direct, peculiar, and significant?
	X	7b. Has government action resulted in the property becoming practically inaccessible, waterlogged or flooded?
	X	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?
	X	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 the analysis, the Department determined that are no taking or damaging implications associated with this permit action.

IX. Environmental Assessment

This permitting action will not result in an increase of emissions from the facility and is considered an administrative action; therefore, an environmental assessment is not required.

Addendum 4
LaSalle Sand and Gravel, LLP
MAQP #3026-03

An addendum to air quality MAQP #3026-03 is hereby granted to LaSalle Sand and Gravel, LLP (LaSalle), pursuant to Sections 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.765, as amended, for the following:

I. Permitted Equipment

LaSalle owns and operates a portable aggregate washing facility consisting of a portable 1998 Spomac wash plant - 5 foot (ft) x 16 ft 3-deck screen (100 tons per hour, (TPH)), seven 1998 Spomac conveyor belts, a 1998 250 horsepower (hp) Spokane diesel generator, and associated equipment.

II. Seasonal and Site Restrictions – Winter and Summer Seasons

Addendum 4 applies to the LaSalle facility while operating at any location in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas. Additionally, seasonal and site restrictions apply to the facility as follows:

- A. During the winter season (October 1-March 31) – The only location(s) in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas where LaSalle may operate is:
- Section 36, Township 30 North, Range 21 West, in Flathead County, Montana; and
 - Any other site that may be approved, in writing, by the Department of Environmental Quality (Department).
- B. During the summer season (April 1-September 30) – LaSalle may operate at any location in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas.
- C. LaSalle shall comply with the limitations and conditions contained in Addendum 4 to MAQP #3026-03 while operating in or within 10 km of any of the previously listed PM₁₀ nonattainment areas. Addendum 4 shall be valid until revoked or modified. The Department reserves the authority to modify Addendum 4 at any time based on local conditions of any future site. These conditions may include, but are not limited to, local terrain, meteorological conditions, proximity to residences or other businesses, etc.

III. Limitations and Conditions

A. Operational Limitations and Conditions (**Summer and Winter Season**)

1. Water spray bars must be available and operated, as necessary, on the screens and all transfer points whenever the wash plant is operating (ARM 17.8.749).
2. LaSalle shall not cause or authorize to be discharged into the atmosphere from any equipment, such as screens or transfer points, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).

3. LaSalle shall not cause or authorize to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant property any visible fugitive emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).
4. LaSalle shall treat all unpaved portions of the access roads, parking lots, and general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the 10% opacity limitation (ARM 17.8.749).
5. The wash plant screen production from the facility shall be limited to 2,400 tons per day (ARM 17.8.749).
6. LaSalle shall not operate more than one wash plant-screening unit at any given time and the maximum rated design capacity of the screen shall not exceed 100 tons per hour (TPH) (ARM 17.8.749).

B. Operational Reporting Requirements

1. If this crushing/screening plant is moved to another nonattainment location, an Intent to Transfer from 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 17.8.765).
2. Production information for the sites covered by this addendum must be maintained for 5 years and submitted to the Department upon request. The information must include (ARM 17.8.749):
 - a. Tons of material screened by each screen at each site (including amount of recirculated/rerun material),
 - b. Tons of bulk material loaded at each site (production),
 - c. Daily hours of operation at each site,
 - d. Gallons of diesel used by each generator at each site,
 - e. Hours of operation and sizes for each generator at each site, and
 - f. Fugitive dust information consisting of the total miles driven on unpaved roads for all plant vehicles.
3. LaSalle shall document, by day, the total wash plant screening production. LaSalle shall sum the total wash plant screening production during the previous day to verify compliance with the limitations in Section III.A.5. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted along with the annual emission inventory (ARM 17.8.749).

Addendum 4 Analysis
LaSalle Sand and Gravel, LLP
MAQP #3026-03

I. Permitted Equipment

LaSalle Sand and Gravel, LLP (LaSalle) owns and operates a portable aggregate washing facility consisting of a portable 1998 Spomac wash plant - 5 foot (ft)x 16 ft 3-deck screen (100 tons per hour, (TPH)), seven 1998 Spomac conveyor belts, a 1998 250 horsepower (hp) Spokane diesel generator, and associated equipment.

II. Source Description

LaSalle proposes to use this portable aggregate washing facility and associated equipment to wash crushed sand and gravel materials for use in various construction operations.

III. Applicable Rules and Regulations

The following are partial quotations 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 of Environmental Quality (Department). Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

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

- A. ARM 17.8.749 Conditions for Issuance 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.
- B. ARM 17.8.764 Administrative Amendment to Permit. An 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. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.
- C. ARM 17.8.765 Transfer of Permit. An air quality permit may be transferred from one location to another if:
 - 1. Written notice of intent to transfer location and proof of public notice are sent to the Department;
 - 2. The source will operate in the new location for a period of less than 1 year; and
 - 3. The source will not have any significant impact on any nonattainment area or any Class I area.

IV. Emission Inventory

Source	Lbs/Day					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
Spomac Wash Plant – 5 ft x 16 ft 3-deck Screen (100 TPH)	22.68	10.80				
Material Transfer (10 Material Transfers, 70 TPH)	14.62	7.06				
Pile Forming (3 Piles, 70 TPH)	12.70	6.05				
Bulk Loading (3 Bulk Loading, 70 TPH)	12.70	6.05				
Engine/Generator (250 hp)	8.85	8.85	124.69	9.94	26.87	8.25
Haul Roads	15.00	6.75				
TOTAL =	86.55	45.55	124.69	9.94	26.87	8.25

- A complete emissions inventory for Montana Air Quality Permit (MAQP) #3026-03 is on file with the Department.

V. Existing Air Quality

On July 1, 1987, the Environmental Protection Agency (EPA) promulgated new National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀). Due to exceedances of the national standards for PM₁₀, the cities of Kalispell (and the nearby Evergreen area), Columbia Falls, Butte, Whitefish, Libby, Missoula, and Thompson Falls were designated by the EPA as nonattainment for PM₁₀. As a result of this designation, the EPA required the Department and the City-County Health Departments to submit PM₁₀ State Implementation Plans (SIP). The SIPs consisted of emission control plans that controlled fugitive dust emissions from roads, parking lots, construction, and demolition, since technical studies identified these sources to be the major contributors to PM₁₀ emissions.

MAQP #3026-03 and Addendum 4 are for a portable aggregate wash plant that will locate at sites in or within 10 km of certain PM₁₀ nonattainment areas. The more stringent operating conditions contained in the addendum will minimize any potential impact on the nonattainment areas and will protect the national ambient air quality standards. Also, this facility is a portable source that would operate on an intermittent and temporary basis and any effects on air quality will be minor and short-lived.

VI. Air Quality Impacts

MAQP #3026-03 and Addendum 4 will cover the LaSalle portable aggregate washing facility while operating at any location within Montana, excluding those counties that have a Department approved permitting program and those areas that are tribal lands.

Addendum 4 will cover the operations of this portable aggregate washing facility, while operating in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas (specific site during the winter months – October 1 through March 31).

Additionally, the facility will also be allowed to operate in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas during the summer months (April 1 through September 30).

VII. Taking or Damaging Implication Analysis

As required by 2-10-101 through 105, MCA, the Department conducted a private property taking and damaging assessment (see analysis in the Permit Analysis for MAQP #3026-03) and determined there are no taking or damaging implications.

VIII. Environmental Assessment

The current permit action is an administrative amendment and does not constitute a state action; therefore, an Environmental Assessment is not required.

Analysis Prepared by: Karen Gillespie
Date: July 2, 2009