



operation, storage bin, and enclosed truck or railcar loading station, which was constructed, reconstructed, or modified after August 31, 1983 (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart OOO).

3. All visible emissions from any non-NSPS affected equipment at the Grizzly facility shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes. Non-NSPS affected equipment includes, but is not limited to, any crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station, which was constructed, reconstructed, or modified on or prior to August 31, 1983 (ARM 17.8.304 and ARM 17.8.752).
4. Water and spray bars shall be available and used, as necessary, to maintain compliance with the opacity limitations in Section II.A.1, Section II.A.2, and Section II.A.3 (ARM 17.8.752).
5. Grizzly 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).
6. Grizzly 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.5 (ARM 17.8.752).
7. Grizzly shall not operate more than two crushers at any given time and the combined maximum rated material throughput design capacity of the crushers shall not exceed 500 tons per hour (TPH) (ARM 17.8.749).
8. Grizzly shall not operate more than two screens at any given time and the combined maximum rated material throughput design capacity of the screens shall not exceed 500 TPH (ARM 17.8.749).
9. Total plant production shall be limited to 2,190,000 tons during any rolling 12-month time period (ARM 17.8.749).
10. Grizzly shall operate no more than one diesel generator, with a maximum rated design of up to 400 horsepower (HP) (ARM 17.8.749).
11. If the permitted equipment is used in conjunction with any other equipment owned or operated by Grizzly, 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 time period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).
12. Grizzly shall comply with all applicable standards and limitations, and the reporting, recordkeeping, testing, and notification requirements contained in 40 CFR 60, Subpart OOO (ARM 17.8.340 and 40 CFR 60, Subpart OOO).
13. Grizzly shall comply with all applicable standards and limitations, and the reporting, record keeping, and notification requirements contained in 40 CFR Part 60, Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, for any applicable diesel engines (ARM 17.8.340, 40 CFR 60, Subpart IIII).

B. Testing Requirements

1. Within 60 days after achieving maximum production, but no later than 180 days after initial start-up, an Environmental Protection Agency (EPA) Method 9 opacity test and/or other methods and procedures as specified in 40 CFR 60.675 must be performed on all NSPS-affected equipment to demonstrate compliance with the emission limitations contained in Section II.A.1 and Section II.A.2. After the initial source test, additional source testing shall be conducted as required by the Department (ARM 17.8.340 and 40 CFR 60, General Provisions and Subpart 000).
2. All compliance source tests shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
3. The Department may require further testing (ARM 17.8.105).

C. Reporting Requirements

1. If this crushing/screening 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. Grizzly shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. All records compiled in accordance with this permit shall be maintained by Grizzly as a permanent business record for at least 5 years following the date of the measurement, shall be submitted to the Department upon request, and shall be available at the plant site for inspection by the Department (ARM 17.8.749).
3. Grizzly 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 is not limited to, all sources of emissions identified in the most recent emission inventory report and sources identified in Section I.A of 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 units, as required by the Department (ARM 17.8.505).

4. Grizzly shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745, 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 emission unit. 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(1)(d) (ARM 17.8.745).

5. Grizzly shall document, by month, the total plant production. By the 25th day of each month, Grizzly shall calculate the plant production for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.9. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

D. Notification

1. Within 30 days of commencement of construction of any NSPS-affected equipment, Grizzly shall notify the Department of the date of commencement of construction of the affected equipment. NSPS-affected equipment at the Grizzly facility would include each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station, which was constructed, reconstructed, or modified after August 31, 1983 (ARM 17.8.340 and 40 CFR 60, Subpart A and Subpart OOO).
2. Within 15 days of the actual start-up date of any NSPS-affected equipment, Grizzly shall submit written notification to the Department of the initial start-up date of the affected equipment. NSPS-affected equipment at the Grizzly facility would include each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station, which was constructed, reconstructed, or modified after August 31, 1983 (ARM 17.8.340 and 40 CFR 60, Subpart A and Subpart OOO).
3. Within 15 days of the actual start-up date of any non-NSPS affected equipment, Grizzly shall submit written notification to the Department of the initial start-up date of the non-NSPS affected equipment. Non-NSPS affected equipment would include any crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station, which was constructed, reconstructed, or modified on or prior to August 31, 1983 (ARM 17.8.749).

Section III: General Conditions

- A. Inspection – Grizzly 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 Grizzly fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Grizzly 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, as amended by the 1991 Legislature, failure to pay the annual operation fee by Grizzly may be grounds for revocation of this permit, as required by that section and rules adopted there under by the Board.
- H. Construction Commencement – Construction must be begin within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked (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. Grizzly 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.

PERMIT ANALYSIS  
Grizzly Logging and Gravel Products, Inc.  
Permit Number 3184-02

I. Introduction/Process Description

A. Permitted Equipment

Grizzly Logging and Gravel Products, Inc., (Grizzly) owns and operates a portable non-metallic mineral processing facility consisting of a 1976 Cedar Rapids jaw and roll crusher and screening plant (maximum capacity 250 tons per hour (TPH)), a Cedar Rapids pad feeder and associated Grizzly screen (250 TPH), a PowerScreen conveyor/stacker, a diesel generator up to 400 Horsepower (HP) (currently a Caterpillar D353 engine and Kato generator with switchgear), and associated material handling and processing equipment.

The original location for the facility is in the Southwest ¼ of the Northwest ¼ of Section 24, Township 28 North, Range 23 West, in Flathead County, Montana. Permit #3184-02 and Addendum 1 apply while operating in any location in the state of Montana, except those areas having a Department of Environmental Quality (Department)-approved permitting program or areas considered tribal lands. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*

B. Process Description

Grizzly uses this crushing/screening plant and associated equipment to crush and sort sand and gravel materials for use in various construction operations. Materials are loaded onto a Grizzly screen and associated feeder and transferred via a conveyor to the portable Cedar Rapids crushing unit. Material is crushed by the Cedar Rapids jaw and roll crusher and conveyed to the screen within one integrated unit. The rock/gravel recirculates within the crusher unit until it is the proper size to be pulled off the screen deck at one of two levels. Various sized materials are then conveyed to separate stockpiles for sale and use in various construction activities.

C. Permit History

On March 26, 2002, Grizzly (formerly Grizzly Logging and Lumber, LLC) was issued **Permit #3184-00** for the construction and operation of a portable non-metallic mineral processing plant including a 1976 Cedar Rapids jaw and roll crusher and screening plant (maximum capacity 250 TPH) and associated equipment. The original location for the facility was in the Southwest ¼ of the Northwest ¼ of Section 24, Township 28 North, Range 23 West, in Flathead County, Montana.

On May 7, 2007, the Department received a request from Grizzly for an administrative amendment to Permit #3184-00 under the provisions contained in the Administrative Rules of Montana (ARM) 17.8.745 (de minimis rule) and ARM 17.8.764. Specifically, Grizzly notified the Department of a name change from Grizzly Logging and Lumber, LLC, to Grizzly. Further, Grizzly proposed the addition of a Cedar Rapids pad feeder and associated Grizzly screen; the addition of a PowerScreen conveyor/stacker; and the removal of the existing Kolberg feeder from previously permitted operations.

Because Grizzly's existing air quality permit included an enforceable operating condition requiring the availability and use of water suppression, as necessary, Grizzly can rely on

this control credit in establishing potential emissions from the proposed new equipment. Therefore, in accordance with ARM 17.8.745(1)(a), because potential emissions from the proposed new equipment were less than the de minimis threshold of 15 tons per year (TPY), the permit action constituted an administrative amendment in accordance with ARM 17.8.764(1)(b). In addition, the Department updated permit conditions and limits applicable to Standards of Performance for New Stationary Sources (NSPS) affected equipment under 40 Code of Federal Regulations Part 60 (40 CFR 60), Subpart OOO, and non-NSPS affected equipment to reflect current Department regulatory language for this equipment and to provide Grizzly with additional operational flexibility. **Permit #3184-01** replaced Permit #3184-00.

D. Current Permit Action

On September 25, 2007, the Department received a request from Grizzly for an administrative amendment to allow for work in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) nonattainment areas. Addendum 1 was added to accommodate this request. In addition, based on correspondence received from Grizzly on November 6<sup>th</sup> and 8<sup>th</sup>, the Department corrected the firing rate information for the existing diesel generator and amended the permit to become “de minimis-friendly.” In addition, the Department updated permit conditions and limits applicable to 40 CFR 60, Subpart OOO and Subpart IIII. **Permit #3184-02** replaces Permit #3184-01 and **Addendum 1** was added.

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 ARMs 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 17.8.101 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).

Grizzly 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, 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 Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM<sub>10</sub>

Grizzly must comply with the applicable ambient air quality standards.

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 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 (PM). (2) Under this rule, Grizzly 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 60, NSPS, including the following subparts:
    - 40 CFR 60, Subpart OOO - In order for a crushing/screening plant to be subject to NSPS requirements, two specific criteria must be met. First, the crushing/screening plant must meet the definition of an affected facility and, second, the affected equipment must have been constructed, reconstructed, or modified after August 31, 1983. Therefore, Grizzly is potentially an NSPS affected facility under 40 CFR 60 and may be subject to the requirements of Subpart OOO, as applicable.
    - 40 CFR 60, Subpart IIII - Subpart IIII, Stationary Compression Ignition Internal Combustion Engines, will apply for any diesel generator manufactured after April 1, 2006, or modified or reconstructed after July 11, 2005. Since the permit is written to allow Grizzly to operate any diesel generator up to 400 HP, this regulation could apply in the future.
- 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. 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 application 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, Sub-Chapter 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 an air quality permit or permit alteration to construct, alter, or use any asphalt plant, crusher or screen that has the potential to emit (PTE) greater than 15 tons per year of any pollutant. Grizzly has a PTE greater than 15 tons per year of PM and oxides of nitrogen (NO<sub>x</sub>); 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, alteration, 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. Neither public notice nor an affidavit of publication of public notice was required for the current permit action because the permit change is considered an administrative permit action.
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 current permit action is considered an administrative action; therefore, a BACT analysis and determination is not required.
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 Grizzly 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 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 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. The current permit action is an administrative amendment.
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, Sub-Chapter 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 since 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, Sub-Chapter 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 PM<sub>10</sub> in a serious PM<sub>10</sub> 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 Air Quality Permit #3184-02 for Grizzly, 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 PM<sub>10</sub> nonattainment area.
  - d. This facility is not subject to any current NSPS, although the facility could be subject to Subpart OOO and Subpart IIII if the facility constructs, reconstructs, or modifies affected equipment after the applicability dates.
  - e. This facility is not subject to any current NESHAP standards.
  - 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 determined that Grizzly is 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, Grizzly may be required to obtain a Title V Operating Permit.

### III. BACT Determination

A BACT determination is required for any new or altered source. Grizzly shall install on the new or altered source the maximum air pollution control capability that is technologically practicable and economically feasible, except that BACT shall be used. The current permit action is an administrative amendment conducted in accordance with ARM 17.8.745 and ARM 17.8.764; therefore, a BACT analysis and determination is not required for the current permit action.

#### IV. Emission Inventory

Emitting Unit	Tons per Year					
	PM	PM <sub>10</sub>	NO <sub>x</sub>	CO	VOC	SO <sub>x</sub>
Cedar Rapids Jaw Crusher (250 TPH)	1.31	0.61	0.00	0.00	0.00	0.00
Cedar Rapids Roll Crusher (250 TPH)	1.31	0.61	0.00	0.00	0.00	0.00
Cedar Rapids Screen (250 TPH)	2.41	0.83	0.00	0.00	0.00	0.00
Cedar Rapids Feeder and Grizzly Screen	2.41	0.83	0.00	0.00	0.00	0.00
Truck Unloading	0.17	0.17	0.00	0.00	0.00	0.00
Material Transfer (Conveyor/Stacker)	1.10	0.35	0.00	0.00	0.00	0.00
Material Transfer	1.10	0.35	0.00	0.00	0.00	0.00
Pile Forming	7.05	3.37	0.00	0.00	0.00	0.00
Bulk Loading	0.002	0.002	0.00	0.00	0.00	0.00
Diesel Generator (up to 400 HP)	3.81	3.81	54.09	11.65	4.42	3.55
Haul Roads / Vehicle Traffic	12.68	3.60	0.00	0.00	0.00	0.00
<b>Total</b>	<b>33.35</b>	<b>14.53</b>	<b>54.09</b>	<b>11.65</b>	<b>4.42</b>	<b>3.55</b>
A complete emission inventory is on file with the Department						

#### V. Existing Air Quality

Permit #3184-02 is issued for the operation of a portable crushing/screening plant to be originally located in the Southwest ¼ of the Northwest ¼ of Section 24, Township 28 North, Range 23 West, in Flathead County, Montana. This area is classified as attainment/unclassified for all ambient air quality standards, although it is within 10 km of the Kalispell PM<sub>10</sub> nonattainment area.

As a portable source, this facility would operate on an intermittent and temporary basis and any effects on air quality will be minor and short-lived. Addendum 1 is for operation of the portable crushing/screening plant at sites in or within 10 km of certain PM<sub>10</sub> 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.

#### VI. Ambient Air Quality Impacts

Permit #3184-02 and Addendum 1 applies while operating in any location in the state of Montana, except those areas having a Department approved permitting program or areas considered tribal lands. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*

Addendum 1 will cover the operations of this portable crushing/screening plant during the winter months (October 1 through March 31) while operating in the Southwest ¼ of the Northwest ¼ of Section 24, Township 28 North, Range 23 West, in Flathead County, Montana (which is within 10 km of the Kalispell PM<sub>10</sub> nonattainment areas), or any other location in or within 10 km of a PM<sub>10</sub> nonattainment areas approved by the Department in writing. Additionally, the facility will also be allowed to operate in or within 10 km of certain PM<sub>10</sub> nonattainment areas during the summer months (April 1 through September 30).

In the view of the Department, the amount of controlled emissions (Permitted Allowable Emissions) generated by this facility will not exceed any set ambient standard in any given area of operations.

Addendum 1  
Grizzly Logging and Gravel Products, Inc.  
Permit #3184-02

An addendum to Montana Air Quality Permit #3184-02 is hereby granted to Grizzly Logging and Gravel Products, Inc. (Grizzly) pursuant to Section 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:

Grizzly Logging and Gravel Products, Inc., (Grizzly) owns and operates a portable non-metallic mineral processing facility consisting of a 1976 Cedar Rapids jaw and roll crusher and screening plant (maximum capacity 250 tons per hour (TPH)), a Cedar Rapids pad feeder and associated Grizzly screen (250 TPH), a PowerScreen conveyor/stacker, a diesel generator up to 400 Horsepower (HP) (currently a Caterpillar D353 engine and Kato generator with switchgear), and associated material handling and processing equipment.

II. Seasonal and Site Restrictions – **Winter and Summer Seasons**

Addendum 1 applies to the Grizzly 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 (PM<sub>10</sub>) 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 in or within 10 km of a PM<sub>10</sub> nonattainment area where Grizzly may operate is:
  - 1. Kalispell area – Section 24, Township 28 North, Range 23 West; and
  - 2. 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) – Grizzly may operate at any location in or within 10 km of the Butte, Columbia Falls, Kalispell, Libby, Thompson Falls, and Whitefish PM<sub>10</sub> nonattainment areas.
- C. Grizzly shall comply with the limitations and conditions contained in Addendum 1 to Permit #3184-02 while operating in or within 10 km of any of the previously identified PM<sub>10</sub> nonattainment areas. Addendum 1 shall be valid until revoked or modified. The Department of Environmental Quality (Department) reserves the authority to modify Addendum 1 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

- 1. Water spray bars must be available and operated, as necessary, on the crushers, screens, and all transfer points whenever the crushing/screening plant is in operation (ARM 17.8.749).
- 2. Grizzly 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. Grizzly 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 (ARM 17.8.749).
4. Grizzly 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. Grizzly shall not operate more than two crushers at any one time. Total crusher production shall not exceed 6,000 tons per day (ARM 17.8.749).
6. Grizzly shall not operate more than two screens at any one time. Total screen production shall not exceed 6,000 tons per day (ARM 17.8.749).

#### B. Operational Reporting Requirements

1. If this crushing/screening plant is moved to another nonattainment 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. 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 crushed by each crusher at each site (including amount of recirculated/rerun material),
  - b. Tons of material screened by each screen at each site (including amount of recirculated/rerun material),
  - c. Tons of bulk material loaded at each site (production),
  - d. Daily hours of operation at each site,
  - e. Gallons of diesel used by each generator at each site,
  - f. Hours of operation and sizes for each generator at each site,
  - g. Fugitive dust information consisting of the total miles driven on unpaved roads for all plant vehicles.
3. Grizzly shall document, by day, the total crushing production. Grizzly shall sum the total crushing production during the previous day to verify compliance with the limitation in Section III.A.5. A written report of compliance and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted and may be submitted along with the annual emissions inventory (ARM 17.8.752).
4. Grizzly shall document, by day, the total screening production. Grizzly shall sum the total

screening production during the previous day to verify compliance with the limitation in Section III.A.6. A written report of compliance and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted and may be submitted along with the annual emissions inventory (ARM 17.8.752).



Addendum 1 Analysis  
Grizzly Logging and Gravel Products, Inc.  
Permit #3184-02

I. Permitted Equipment

Grizzly Logging and Gravel Products, Inc., (Grizzly) owns and operates a portable non-metallic mineral processing facility consisting of a 1976 Cedar Rapids jaw and roll crusher and screening plant (maximum capacity 250 tons per hour (TPH)), a Cedar Rapids pad feeder and associated Grizzly screen (250 TPH), a PowerScreen conveyor/stacker, a diesel generator up to 400 Horsepower (HP) (currently a Caterpillar D353 engine and Kato generator with switchgear), and associated material handling and processing equipment.

II. Source Description

Grizzly uses this crushing/screening plant to crush, screen, and sort sand and gravel materials for use in various construction operations. For a typical operational setup, unprocessed materials are loaded into the crushing/screening plant via a hopper and transferred by conveyor to the portable crushing unit. Within this integrated unit, the material is crushed by the jaw and roll crusher then conveyed to the screen, where the sized materials are separated and conveyed to stockpiles.

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 <sub>10</sub>	NO <sub>x</sub>	VOC	CO	SO <sub>x</sub>
Cedar Rapids Jaw Crusher (250 TPH)	7.20	3.24				
Cedar Rapids Roll Crusher (250 TPH)	7.20	3.24				
Cedar Rapids Screen (250 TPH)	13.20	4.44				
Cedar Rapids Feeder and Grizzly Screen	13.20	4.44				
Truck Unloading	0.90	0.90				
Material Transfer (Conveyor/Stacker)	5.88	1.93				
Material Transfer	5.88	1.93				
Pile Forming	38.64	18.36				
Bulk Loading	0.01	0.01				
Diesel Generator (up to 400 HP)	20.83	20.83	296.35	24.19	63.84	19.49
Haul Roads	69.50	19.75				
<b>TOTAL</b>	<b>182.44</b>	<b>79.07</b>	<b>296.35</b>	<b>24.19</b>	<b>63.84</b>	<b>19.49</b>

#### 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 (PM<sub>10</sub>). Due to exceedances of the national standards for PM<sub>10</sub>, the cities of Kalispell (and the nearby Evergreen area), Columbia Falls, Butte, Whitefish, Libby, Missoula, and Thompson Falls were designated by EPA as nonattainment for PM<sub>10</sub>. As a result of this designation, the EPA required the Department and the City-County Health Departments to submit PM<sub>10</sub> 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 PM<sub>10</sub> emissions.

Permit #3184-02 and Addendum 1 are for a portable crushing/screening plant that will locate at sites in or within 10 kilometers (km) of certain PM<sub>10</sub> 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

Permit #3184-02 and Addendum 1 will cover the operations of this portable crushing/screening plant 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 1 will cover the operations of this portable crushing/screening plant, while operating in Section 24, Township 28 North, Range 23 West, or any other location approved by the Department in writing which is in or within 10 km of the Kalispell PM<sub>10</sub> nonattainment areas during the winter months (October 1 through March 31). Additionally, the facility will also be allowed to operate in or within 10 km of certain PM<sub>10</sub> 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 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 for the proposed project.

Permit Analysis Prepared by: Christine Weaver

Date: October 22, 2007