

## AIR QUALITY PERMIT

Issued To: T-Bend Construction, Inc.                      Permit #3188-01  
P.O. Box 1415                                                      Application Complete: 02/07/05  
Whitefish, MT 59937                                           Preliminary Determination Issued: 03/18/05  
Department Decision Issued: 04/05/05  
Permit Final: 04/21/05  
AFS #777-3188

An air quality permit, with conditions, is hereby granted to T-Bend Construction, Inc. (T-Bend), pursuant to Sections 75-2-204 and 211, Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

### Section I: Permitted Facilities

#### A. Plant Location

T-Bend operates a portable aggregate crushing/screening facility at various locations throughout Montana. However, Permit #3188-01 applies 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. Addendum 2 applies to this T-Bend 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>) non-attainment areas, including the initial site location, NW ¼ of the NW ¼ of Section 26, 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 1.A of the permit analysis.

#### B. Current Permit Action

On February 7, 2005, the Department received a permit application requesting a modification to update Permit #3188-00. Specifically, T-Bend requested to replace the existing 3-deck screen with a 2003 5 ft x 16 ft 3-deck screen and replace the 250-kilowatt (kW) diesel generator with a 365-kW diesel generator. The current permit action incorporates those changes, updates the addendum to reflect the current equipment and operating scenario for the facility, and updates the permit to reflect current permit language and rule references used by the Department.

### Section II: Limitations and Conditions

#### A. Operational Limitations and Conditions

1. T-Bend shall not cause or authorize to be discharged into the atmosphere from any Standards of Performance for New Stationary Sources (NSPS)-affected crusher, any visible emissions that exhibit an opacity of 15% or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart 000).
2. T-Bend shall not cause or authorize to be discharged into the atmosphere from any other NSPS-affected equipment, such as screens or conveyor transfers, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart 000).

3. T-Bend shall not cause or authorize to be discharged into the atmosphere, from any non-NSPS affected equipment, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.308 and ARM 17.8.752).
4. 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, II.A.2, and II.A.3 (ARM 17.8.752).
5. T-Bend shall not cause or authorize to be discharged into the atmosphere from any street, road, or parking lot any visible fugitive emissions that exhibit an opacity of 20% or greater (ARM 17.8.308 and ARM 17.8.752).
6. T-Bend shall treat all unpaved portions of the haul roads, access roads, parking lots, or 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 17.8.749).
7. Crusher production from the facility shall be limited to 4,380,000 tons during any rolling 12-month time period (ARM 17.8.749).
8. T-Bend shall not operate more than two crushers at any given time and the combined maximum rated design capacity of the crushers shall not exceed 250 tons per hour (TPH) (ARM 17.8.749).
9. Screen production from the facility shall be limited to 2,190,000 tons during any rolling 12-month time period (ARM 17.8.749).
10. T-Bend shall not operate more than one screening unit at any given time and the maximum rated design capacity of the screen shall not exceed 250 TPH (ARM 17.8.749).
11. T-Bend shall not operate more than one diesel engine/generator at any given time and the maximum rated design capacity of the generator shall not exceed 365 Kilowatts (kW) (ARM 17.8.749).
12. If the permitted equipment is used in conjunction with any other equipment owned or operated by T-Bend, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons of emissions during any rolling 12-month time period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).
13. T-Bend shall comply with all applicable standards and limitations, and the reporting, recordkeeping, testing, and notification requirements contained in 40 CFR 60, Subpart OOO for the crushing/screening operation and associated equipment (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

**B. Testing Requirements**

1. Within 60 days after achieving the maximum production rate, but no later than 180 days after initial startup, an Environmental Protection Agency (EPA) Method 9 opacity test and/or other methods and procedures, as specified in 40 CFR Part 60.675, must be performed on any NSPS affected equipment to demonstrate compliance with the emissions limitations contained in Sections II.A.1 and II.A.2 (ARM 17.8.340 and 40 CFR Part 60, Subpart A and Subpart

OOO).

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

C. Operational Reporting Requirements

1. If this portable crushing/screening plant is moved to another location, an Intent to Transfer Form must be sent to the Department. In addition, 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 Intent to Transfer Form and 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. T-Bend 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 T-Bend as a permanent business record for at least 5 years following the date of the measurement, must be submitted to the Department upon request, and must be available at the plant site for inspection by the Department (ARM 17.8.749).
3. T-Bend 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. 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).

4. T-Bend 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 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).
5. T-Bend shall document, by month, the crushing production from the facility. By the 25<sup>th</sup> day of each month, T-Bend shall calculate the crushing production from the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.7. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

6. T-Bend shall document, by month, the screening production from the facility. By the 25<sup>th</sup> day of each month, T-Bend shall calculate the screening production from the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.9. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

Section III: General Conditions

- A. Inspection - T-Bend 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 T-Bend fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving T-Bend 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 Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by T-Bend may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.
- H. Construction Commencement - Construction must 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. T-Bend shall comply with the conditions contained in this permit while operating at any location in Montana, except within those areas having a Department approved permitting program.

PERMIT ANALYSIS  
T-Bend Construction, Inc.  
Permit Number 3188-01

I. Introduction/Process Description

A. Permitted Equipment

T-Bend owns and operates a portable aggregate crushing/screening facility consisting of a portable 1978 Pioneer Jaw Crusher (250 tons per hour, TPH), a 1960 Symons Cone Crusher (250 TPH), a 2003 Trio 5 ft x 16 ft 3-deck screen (250 TPH), a 1999 365-kilowatt (kW) Caterpillar diesel generator, and associated equipment. Permit #3188-01 will apply 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. Addendum 2 applies to this T-Bend 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, including the initial site location, NW ¼ of the NW ¼ of Section 26, 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.*

B. Source Description

T-Bend proposes to use this crushing/screening operation and associated equipment to crush and sort sand and gravel materials for use in various construction operations. For a typical operational setup, materials are loaded into a hopper that feeds a conveyor to a portable crushing/screening unit. Material is crushed by the crusher and conveyed to a screen. Properly sized material is conveyed to a stockpile for use and oversized material is conveyed back through the crushing/screening operation and then to a stockpile for use.

C. Permit History

On April 1, 2002, T-Bend submitted a complete permit application to operate a portable aggregate crushing/screening facility consisting of a Pioneer Jaw Crusher (250 TPH), a Symons Cone Crusher (250 TPH), a 250-kW Marathon diesel generator, and associated equipment. A complete equipment list was included with the permit analysis. The facility initially operated in the NW ¼ of the NW ¼ of Section 26, Township 30 North, Range 21 West, in Flathead County, Montana. The application was assigned **Permit #3188-00**. Also, **Addendum 1** to Permit #3188-00 was established.

D. Current Permit Action

On February 7, 2005, the Department received a permit application requesting a modification to update Permit #3188-00. Specifically, T-Bend requested to replace the existing 3-deck screen with a 2003 5 ft x 16 ft 3-deck screen and replace the 250-kilowatt (kW) diesel generator with a 365-kW diesel generator. The current permit action incorporates those changes, updates the addendum to reflect the current equipment and operating scenario for the facility, and updates the permit to reflect current permit language and rule references used by the Department. **Permit #3188-01** replaces Permit #3188-00 and **Addendum 2** replaces Addendum 1.

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 subchapter, 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).

T-Bend shall comply with all 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 which, without resulting in reduction in 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 that a public nuisance is created.

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

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM<sub>10</sub>

T-Bend must comply 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, T-Bend 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 rule.
4. ARM 17.8.310 Particulate Matter, Industrial Processes. This rule requires that no person shall cause or allow to be discharged into the atmosphere particulate matter in excess of the amount set forth in this rule.
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 rule.
6. ARM 17.8.324 Hydrocarbon Emissions--Petroleum Products. (3) No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank truck or trailer is equipped with a vapor loss control device as described in (1) of this rule.
7. ARM 17.8.340 Standards of Performance for New Stationary Sources. This rule incorporates, by reference, 40 Code of Federal Regulations (CFR) 60, Standards of Performance for New Stationary Sources (NSPS). The owner or operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, NSPS, shall comply with the standards and provisions of 40 CFR Part 60.

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 equipment in question must have been constructed, reconstructed, or modified after August 31, 1983. Based on the information submitted by T-Bend, the crushing/screening equipment is NSPS affected because of the size and date of manufacture of the crusher (40

CFR Part 60, Subpart A General Provisions, and Subpart OOO, Non-Metallic Mineral Processing Plants).

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 T-Bend 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. T-Bend submitted the appropriate permit application fee for the current permit action.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department. This 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 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. T-Bend has a PTE greater than 15 tons per year of total particulate matter (PM), PM<sub>10</sub>, 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, modification, or use of a source. T-Bend submitted the required permit application for the current permit action. (2) 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. T-Bend submitted an affidavit of publication of public notice for the January 27, 2005, issue of the *Daily Inter Lake*, a newspaper of general circulation in the city of Kalispell, in Flathead County, as proof of compliance with the public notice requirements.

6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. The required BACT analysis is included in Section IV 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 T-Bend 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 T-Bend, 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 does not have a PTE greater 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. 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.
  - 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 #3188-01 for the T-Bend facility, 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 NESHAP standards.
- e. The facility is currently subject to NSPS standards (40 CFR 60, Subpart A, General Provisions, and Subpart OOO, Non-Metallic Mineral Processing Plants).
- f. This source is not a Title IV affected source nor 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 T-Bend will be a minor source of emissions as defined under Title V. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, T-Bend will be required to obtain a Title V Operating Permit.

### III. Emission Inventory

Source	Tons/Year					
	PM	PM <sub>10</sub>	NO <sub>x</sub>	VOC	CO	SO <sub>x</sub>
1960 Symons Cone Crusher (up to 250 TPH)	2.74	1.31				
1978 Pioneer Jaw Crusher (up to 250 TPH)	2.74	1.31				
2003 Trio 5 ft x 16 ft 3-deck screen (up to 250 TPH)	17.25	8.21				
Material Transfer (8 Material Transfers, 250 TPH)	12.70	6.13				
Pile Forming (5 Pile Forming, 250 TPH)	23.00	10.95				
Bulk Loading (3 Bulk Loading, 250 TPH)	13.80	6.57				
Engine/Generator (up to 365-kW)	4.72	4.72	66.46	5.30	14.32	4.40
Haul Roads	2.74	1.23				
<b>Total</b>	<b>79.67</b>	<b>40.44</b>	<b>66.46</b>	<b>5.30</b>	<b>14.32</b>	<b>4.40</b>

- A complete emission inventory for Permit #3188-01 is on file with the Department.

### IV. BACT Analysis

A BACT determination is required for any new or altered source. T-Bend 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.

#### A. Area Source Fugitive Emissions and Crushing/Screening Emissions

Two types of emissions controls are readily available and used for dust suppression of fugitive emissions at the site, fugitive emissions for the surrounding area of operations, and for equipment emissions from the crushing/screening operation. These two control methods are water and chemical dust suppressant. Chemical dust suppressant could be used for dust suppression on the area surrounding the crushing/screening operation and for emissions from the crushing/screening operation. However, because water is more readily available, is more cost effective, is equally effective as chemical dust suppressant, and is more environmentally friendly, water has been identified as the most appropriate

method of pollution control of particulate emissions for the general plant area. In addition, water suppression has been required of recently permitted similar sources. T-Bend may, however, use chemical dust suppressant to assist in controlling particulate emissions from the surrounding plant area.

T-Bend shall not cause or authorize to be discharged into the atmosphere from any NSPS affected crusher, any visible emissions that exhibit an opacity of 15% or greater averaged over 6 consecutive minutes. Also, T-Bend shall not cause or authorize to be discharged into the atmosphere from any affected screen, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes. Further, T-Bend shall not cause or authorize to be discharged into the atmosphere from any non-NSPS affected equipment, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes. T-Bend must also take reasonable precautions to limit the fugitive emissions of airborne particulate matter from haul roads, access roads, parking areas, and the general area of operation. T-Bend is required to have water spray bars and water available on site (at all times) and to apply the water, as necessary, to maintain compliance with the opacity and reasonable precaution limitations. T-Bend may also use chemical dust suppression, in order to maintain compliance with emission limitations in Section I.A of Permit #3188-01. The Department determined that using water spray bars, water, and chemical dust suppressant to maintain compliance with the opacity requirements and reasonable precaution limitations constitutes BACT for the crushing/screening operation.

#### B. Diesel Generators

Because of the limited amount of emissions produced by the diesel generator/engine and the lack of readily available/cost effective add-on controls, add-on controls would be cost prohibitive. Therefore, the Department determined that proper operation and maintenance with no additional controls would constitute BACT for the diesel generator/engine.

The control options required for the proposed crushing/screening facility and for the diesel generator/engine that would be used to power the facility are similar to other recently permitted similar sources.

#### V. Existing Air Quality

Addendum 2 of Permit #3188-01 would cover this portable aggregate crushing/screening facility while operating in or within 10 km of certain PM<sub>10</sub> non-attainment areas during the winter months (October 1 – March 31). Permit #3188-01 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. Through modeling (SCREEN VIEW), the Department has determined that, with conditions and limitations, T-Bend will maintain compliance with all ambient air quality standards. Permit #3188-01 outlines the conditions and limitations that apply when T-Bend operates in or within 10 km of a PM<sub>10</sub> 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 PM<sub>10</sub> in the

ambient air that exceed the set standard.

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

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

Addendum 2  
T-Bend Construction, Inc.  
Permit #3188-01

An addendum to air quality Permit #3188-01 is issued to T-Bend Construction, Inc. (T-Bend), pursuant to Sections 75-2-204 and 75-2-211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.765, as amended, for the following:

I. Permitted Equipment

T-Bend applied for Addendum 2 to Permit #3188-01 for the operation of a portable aggregate crushing/screening facility to operate in or within 10 kilometers (km) of the following particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) nonattainment areas: Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish.

II. Seasonal and Site Restrictions

Addendum 2 applies to the T-Bend facility while operating at any location in or within 10 km of certain 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) – T-Bend may operate in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM<sub>10</sub> nonattainment areas.
- B. During the summer season (April 1-September 30) – T-Bend may not operate at any location in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM<sub>10</sub> nonattainment areas.
- C. T-Bend shall comply with the limitations and conditions contained in Addendum 2 to Permit #3188-01 while operating in or within 10 km of any of the previously listed PM<sub>10</sub> nonattainment areas. Addendum 2 shall be valid until revoked or modified. The Department of Environmental Quality (Department) reserves the authority to modify Addendum 2 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

- 1. Water spray bars must be operated on the crushers, screens, and all transfer points whenever the crushing/screening plant is operating (ARM 17.8.749).
- 2. All visible emissions from the crushing/screening plant may not exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).
- 3. T-Bend shall not cause or authorize to be discharged into the atmosphere from any other 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).

4. T-Bend 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).
5. T-Bend 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).
6. Total combined crushing production of all crushers shall not exceed 4,380,000 tons during any rolling 24-hour time period (ARM 17.8.749).
7. Total combined screening production of all screens shall be limited to 2,190,000 tons during any rolling 24-hour time period (ARM 17.8.749).
8. T-Bend shall not operate more than one diesel engine/generator at any given time and the maximum rated design capacity of the generator shall not exceed 365 kilowatts (kW) (ARM 17.8.749).

B. Operational Reporting Requirements

1. T-Bend shall provide the Department with written notification of job completion within 10 working days of job completion (ARM 17.8.749).
2. T-Bend shall provide the Department with written notice of relocation of the permitted equipment within 15 working days before the physical transfer of equipment (ARM 17.8.765).
3. Production information for the sites covered by this addendum must be submitted to the Department with the annual emission inventory request or within 30 days of completion of the project. The information must include (ARM 17.8.749):
  - a. Tons of material crushed
  - b. Tons of material screened
  - c. Tons of bulk material loaded
  - d. Daily hours of operation
  - e. Gallons of diesel fuel used for the generator
  - f. Fugitive dust information consisting of a listing of all plant vehicles including the following for each vehicle type:
    - i. Number of vehicles
    - ii. Vehicle type
    - iii. Vehicle weight, loaded
    - iv. Vehicle weight, unloaded
    - v. Number of tires on vehicle
    - vi. Average trip length
    - vii. Number of trips per day per vehicle
    - viii. Average vehicle speed
    - ix. Area of activity
    - x. Vehicle fuel usage (gasoline or diesel) annual total
  - g. Fugitive dust control for haul roads and general plant area:

- i. Hours of operation of water trucks
  - ii. Application schedule for chemical dust suppressant, if applicable
- 4. T-Bend shall document, by day, the combined total crushing production. T-Bend shall sum the combined total crushing production during the previous 24 hours to verify compliance with the limitation in Section III.A.6. 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 no later than March 15 and may be submitted along with the annual emission inventory (ARM 17.8.749).
- 5. T-Bend shall document, by day, the combined total screening production. T-Bend shall sum the combined total screening production during the previous 24 hours to verify compliance with the limitation in Section III.A.7. 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 no later than March 15 and may be submitted along with the annual emission inventory (ARM 17.8.749).

Addendum 2 Analysis  
T-Bend Construction, Inc.  
Permit #3188-01

I. Permitted Equipment

T-Bend Construction, Inc. (T-Bend) owns and operates a portable aggregate crushing/screening facility consisting of a portable 1978 Pioneer Jaw Crusher (250 tons per hour (TPH)), a 1960 Symons Cone Crusher (250 TPH), a 2003 Trio 5 ft x 16 ft 3-deck screen (250 TPH), a 1999 365-kilowatt (kW) Caterpillar diesel generator, and associated equipment.

II. Source Description

T-Bend proposes to use this crushing/screening operation and associated equipment to crush and sort sand and gravel materials for use in various construction operations. For a typical operational setup, materials are loaded into a hopper that feeds a conveyor to a portable crushing/screening unit. Material is crushed by the crusher and conveyed to a screen. Properly sized material is conveyed to a stockpile for use and oversized material is conveyed back through the crushing/screening operation and then to a stockpile for use.

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 Modification of Permit. An air quality permit may be modified 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 which do not result in an increase in emissions because of the 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.

T-Bend must submit proof of compliance with the transfer and public notice requirements when T-Bend transfers to any of the locations covered by this addendum and will only be allowed to stay in the new location for a period of less than 1 year. Also, compliance with the conditions and limitations in Addendum 2 to Permit #3188-01 will minimize the impacts on certain particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) nonattainment areas.

#### IV. Emission Inventory

Source	Lbs/Day					
	PM	PM <sub>10</sub>	NO <sub>x</sub>	VOC	CO	SO <sub>x</sub>
1960 Symons Cone Crusher (up to 250 TPH)	15.00	7.20				
1978 Pioneer Jaw Crusher (up to 250 TPH)	15.00	7.20				
2003 Trio 5 ft x 16 ft 3-deck screen (up to 250 TPH)	94.50	45.00				
Material Transfer (8 Material Transfers, 250 TPH)	69.60	33.60				
Pile Forming (5 Pile Forming, 250 TPH)	126.00	60.00				
Bulk Loading (3 Bulk Loading, 250 TPH)	75.60	36.00				
Engine/Generator (up to 365-kW)	25.85	25.85	364.19	29.02	78.48	24.08
Haul Roads	15.00	6.75				
<b>TOTAL =</b>	<b>436.55</b>	<b>221.60</b>	<b>364.19</b>	<b>29.02</b>	<b>78.48</b>	<b>24.08</b>

- A complete emissions inventory for Permit #3188-01 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 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, 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 determined these sources to be the major contributors to PM<sub>10</sub> emissions.

Addendum 2 to Permit #3188-01 is for a portable aggregate crushing/screening facility to be located at sites in or within 10 kilometers (km) of certain PM<sub>10</sub> nonattainment areas during the winter season (October 1 – March 31). Winter season operations may include locations in or within 10 km of certain PM<sub>10</sub> nonattainment areas, including, but not limited to Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish.

#### VI. Air Quality Impacts

T-Bend applied for an air quality permit to operate a portable aggregate crushing/screening facility to be located at various locations throughout Montana. Permit #3188-01 and Addendum 2 will cover the T-Bend crushing/screening plant while operating at any location within Montana, excluding those counties that have a Department approved permitting program and those areas considered tribal lands. Through modeling (SCREEN VIEW), the Department has determined that, with conditions and limitations, T-Bend will maintain compliance with all ambient air quality standards. In addition, this source is portable and any air quality impacts will be minimal.

VII. Taking or Damaging Implication Analysis

As required by 2-10-101 through 105, Montana Code Annotated (MCA), the Department conducted a private property taking and damaging assessment and determined there are no taking or damaging implications.

VIII. Environmental Assessment

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

Permit Analysis Prepared by: Eric Thunstrom

Date: March 9, 2005

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Permitting and Compliance Division  
Air and Waste Management Bureau  
1520 East Sixth Avenue  
P.O. Box 200901  
Helena, Montana 59620-0901  
(406) 444-3490

**FINAL ENVIRONMENTAL ASSESSMENT (EA)**

*Issued For:* T-Bend Construction, Inc.  
P.O. Box 1415  
Whitefish, MT 59937

*Permit Number:* #3188-01

*Preliminary Determination on Permit Issued:* March 18, 2005

*Department Decision Issued:* April 5, 2005

*Permit Final:* April 21, 2005

1. *Legal Description of Site:* T-Bend submitted an application to operate a portable crushing/screening plant to be located at various locations within Montana, including the Columbia Falls PM<sub>10</sub> nonattainment area. T-Bend's initial location would be in the NW ¼ of the NW ¼ of Section 26, Township 30 North, Range 21 West, Flathead County, Montana. In addition to the Columbia Falls nonattainment area, Addendum 2 to Permit #3188-01 would allow the facility to operate in or within 10 kilometers of the following PM<sub>10</sub> nonattainment areas during the summer months: Libby, Kalispell, Whitefish, Thompson Falls, and Butte.
2. *Description of Project:* On February 7, 2005, the Department received a permit application requesting a modification to update Permit #3188-00. Specifically, T-Bend requested the Department to replace the existing 3-deck screen with a 2003 5 ft x 16 ft 3-deck screen and replace the 250-kW diesel generator with a 365-kW diesel generator.
3. *Objectives of Project:* T-Bend submitted the current permit application to replace the existing 3-deck screen and replace the 250-kW diesel generator allowing T-Bend to continue producing aggregate to sell to customers in construction.
4. *Additional Project Site Information:* In many cases, this crushing/screening operation may move to a general site location or open cut pit, which has been previously permitted through the Industrial and Energy Minerals Bureau (IEMB). If this were the case, additional information for the site would be found in the Mined Land Reclamation Permit for that specific site.
5. *Alternatives Considered:* In addition to the proposed action, the Department also considered the "no-action" alternative. The "no-action" alternative would deny issuance of the air quality preconstruction permit to the proposed facility. However, the Department does not consider the "no-action" alternative to be appropriate because T-Bend demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the "no-action" alternative was eliminated from further consideration.
6. *A listing of Mitigation, Stipulations, and Other Controls:* A listing of the enforceable permit conditions and a permit analysis, including a Best Available Control Technology analysis, would be contained in Permit #3188-01.

7. *Regulatory Effects on Private Property Rights:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.

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

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

**Summary of Comments on Potential Physical and Biological Effects:** The following comments have been prepared by the Department.

A. Terrestrial and Aquatic Life and Habitats

Terrestrials would use the same areas that the crushing/screening operations occupy. Although air pollutant deposition would occur in the areas where the crushing/screening plant would operate, the size and temporary nature of the operation, dispersion characteristics of pollutants, and conditions placed in Permit #3188-01 would result in minor impacts. It is not expected that aquatic life would be affected, because there are no streams in the immediate area and the contour of the area is relatively flat. Also, the area in questions is an existing gravel pit permitted through the IEMB, so the effect on terrestrial and aquatic life and habitats would be minor.

B. Water Quality, Quantity, and Distribution

Although there would be an increase in air emissions in the area where the portable crushing/screening plant would operate, there would only be minor impacts on water quality, quantity, and distribution because of the temporary nature, size, operational requirements, and conditions placed in Permit #3188-01 for the facility. Further, as described in Section 7.F. of this EA, the Department determined that any impacts from deposition of pollutants would be minor. Water would be used for dust suppression, but would only cause a minor disturbance to the area since no erosion or run-off problems are anticipated. No additional surface water or ground water quality impacts are expected as a result of using water for dust suppression, or from any accidental spills or equipment leaks.

C. Geology and Soil Quality, Stability, and Moisture

The proposed project would not impact the geology, soil quality, stability and moisture near the equipment's operational area because the crushing/screening facility already exists. The proposed project only replaces existing equipment; therefore, given the relatively small size and portable nature of the operation, any impacts would be minor.

D. Vegetation Cover, Quantity, and Quality

The proposed project would not result in additional disturbance to vegetation cover, quantity, and quality. The crushing/screening operations would remain relatively small in size and located at previously disturbed sites. As explained in Section 7.F of this EA, the Department determined that as a result of the size and temporary nature of the operation and conditions placed in Permit #3188-01, any impacts on vegetative cover, quantity, and quality from the deposition of pollutants would be minor.

E. Aesthetics

Permit #3188-01 would include conditions to control emissions, including visible emissions, from the plant. The proposed project only replaces existing equipment; therefore, any additional aesthetic and noise impacts would be minor.

F. Air Quality

The air quality impacts from the crushing/screening operations would be minor because Permit #3188-01 would include conditions limiting the visible emissions (or opacity) from the plant, as well as requiring water spray bars and other means to control air pollution. Because of the size and temporary nature of the operation and conditions placed in Permit #3188-01, any impacts from the deposition of pollutants would be minor. The operations would be limited by Permit #3188-01 to total particulate emissions of 250 tons/year or less from non-fugitive sources at the plant, in addition to any additional equipment at the site. In addition, Addendum 2 to Permit #3188-01 would include more stringent limitations for any operations taking place in or within 10 km of certain PM<sub>10</sub> non attainment areas in Montana.

G. Unique Endangered, Fragile, or Limited Environmental Resources

During the initial permitting process (Permit #3188-00), the Department contacted the Montana Natural Heritage Program (MNHP) in an effort to identify any species of special concern that may be found in the area of the facility. The search area, in this case, is defined by the township and range of the proposed site, with an additional 1-mile buffer. Search results indicated that there were no species of special concern found within the defined area. Therefore, the proposed project would have no impact on any unique endangered, fragile, or limited environmental resources because there are no such resources in the area.

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

The crushing/screening operations would only require small quantities of water, air, and energy for proper operation, due to the relatively small size of the facility. While small amounts of water would be used for dust control on the surrounding roadways and job site, no water would be needed to operate the crusher. In addition, as described in Section 7.F. of this EA, pollutant emissions generated from the facility would have minimal impacts on air quality in the immediate and surrounding area. Overall, the equipment is relatively small and would have operational restrictions placed in Permit #3188-01. Because the facility operations would be seasonal and temporary, demands and impacts to the environmental resource of air and energy would be minor.

I. Historical and Archaeological Sites

The crushing/screening operations would locate within a previously disturbed industrial site typically used for portable crushing/screening operations. According to the Montana State Historic Preservation Office, there is low likelihood of adverse disturbance to any known archaeological or historic site, given previous industrial disturbance within the area. Therefore, the chances that the operation would have an effect on any known historic or archaeological site is minor.

J. Cumulative and Secondary Impacts

The crushing/screening operations would cause minor cumulative and secondary impacts to the physical and biological environment in the immediate area because the plant would generate emissions of particulate matter, NO<sub>x</sub>, SO<sub>x</sub>, CO, and PM<sub>10</sub>. Additional noise impacts from the facility would also be minor. As a result of the temporary and seasonal nature of the facility and conditions and limitations contained within Permit #3188-00, impacts would be minimized. In addition, Addendum 2 to Permit #3188-01 would include more stringent limitations for any operations taking place in or within 10 km of certain PM<sub>10</sub> non attainment areas in Montana. There is potential for other operations to locate at this site. However, any operations would have to apply for and receive the appropriate permits from the Department prior to operation. These permits would address the environmental impacts associated with the operations at the site.

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

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

**SUMMARY OF COMMENTS ON POTENTIAL ECONOMIC AND SOCIAL EFFECTS:** The Department has prepared the following comments.

A. Social Structures and Mores

The operation of the portable crusher would not alter or disrupt any local lifestyles or communities (social structures and mores) in the area of operation because the facility is relatively small and would operate intermittently. Therefore, the existing social structures and mores would not be affected as a result of this permitting action.

B. Cultural Uniqueness and Diversity

The crushing/screening operations would have no impact on the cultural uniqueness and diversity of the area because the source is small and temporary and would be operating in a permitted open cut pit. Furthermore, the area surrounding the proposed site would remain predominantly unchanged because T-Bend would operate a small and temporary facility. Employees would likely only spend brief periods of time at each site location other than the home pit area.

C. Local and State Tax Base and Tax Revenue

The crushing/screening operations would have little, if any effect on the local and state tax base and tax revenue because the facility would be a temporary and seasonal source; therefore, it would not remain at any individual site for an extended period of time. No full time or permanent employee would be added as a result of issuing Permit #3188-01.

D. Agricultural or Industrial Production

The crushing/screening operations would locate in a previously disturbed industrial area. Because the facility would operate within a permitted open cut pit, upon completion of the operations, the area would be reclaimed, as specified, by the IEMB. Further, the crushing/screening operations are small by industrial standards and, thus, would have only a minor impact on local industrial production.

E. Human Health

Permit #3188-01 would incorporate conditions to ensure that the crushing/screening operations would be operated in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health and the environment. As described in Section 7.F of this EA, the air emissions from this facility would be minimized by opacity limitations. In addition, Addendum 2 to Permit #3188-01 would include more stringent limitations for any operations taking place in or within 10 km of any PM<sub>10</sub> non attainment area in Montana. Since these conditions would be incorporated, only minor impacts would be expected from this crushing/screening facility.

F. Access to and Quality of Recreational and Wilderness Activities

The crushing/screening operations would be located on previously disturbed property and would not impact access to recreational and wilderness activities. Because of the layout of the surrounding roadways, recreational and wilderness areas would remain accessible. However, minor effects on the quality of recreational activities would be created by noise from the site.

G. Quantity and Distribution of Employment

As a result of the relatively small size and temporary nature of the operation, the quantity and distribution of employment in the area would not be impacted. No full time, permanent employees would be employed as a result of issuing Permit #3188-01 for the operation of a crushing/screening plant.

H. Distribution of Population

The crushing/screening operations would not disrupt the normal population distribution in the area because of the relatively small size and temporary nature of the operation.

I. Demands of Government Services

Although minor increases would be observed in the local traffic on existing roadways in the area while the crushing/screening operations are in progress, the operation of the facility would not result in a need for new, altered, or additional government services. However, government services would be required for acquiring the appropriate permits from government agencies. Therefore, demands for government services would be minor.

J. Industrial and Commercial Activity

The crushing/screening operations would represent only a minor increase in the industrial activity in the given area because small size of the operations and the portable and temporary nature of the facility. No additional industrial or commercial activity is expected as a result of the proposed operation.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans or goals that would be affected by the proposed project. The state standards would protect the proposed site and the environment surrounding the site.

L. Cumulative and Secondary Impacts

The crushing/screening operations would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment because of the potential air emissions from the crusher operations and increase in local traffic in the immediate area. However, because the facility is relatively small and operates temporarily, only minor social and economic impacts to the local economy could be expected from the operation of the facility. New businesses would not be drawn to any areas and permanent jobs would not be created or lost as result of the proposed project. Because no new employees would be hired, there would be no economic impacts from new employees. Thus, only minor cumulative and secondary impacts would result to the social and economic environment.

*Recommendation:* An EIS is not required.

*If an EIS is not required, explain why the EA is an appropriate level of analysis:* All potential effects resulting from construction and operation of the proposed facility are minor, therefore, an EIS is not required. In addition, the source would be applying the Best Available Control Technology and the analysis indicates compliance with all applicable air quality rules and regulations.

*Other groups or agencies contacted or which may have overlapping jurisdiction:* Montana Department of Environmental Quality - Permitting and Compliance Division (Air Resources Management Bureau and Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and State Historic Preservation Office (Montana Historical Society).

*Individuals or groups contributing to this EA:* Montana Department of Environmental Quality (Air Resources Management Bureau and Industrial and Energy Minerals Bureau), Montana Natural Heritage Program, and State Historic Preservation Office (Montana Historical Society).

*EA prepared by:* Eric Thunstrom

*Date:* March 14, 2005