

AIR QUALITY PERMIT

Issued To: Paveco, LLC
2820 Helena Flats Road
Kalispell, MT 59901

Permit #3393-01
Administrative Amendment (AA)
Request Received: 4/4/06
Department Decision on AA Issued: 4/14/06
Permit Final: 5/2/06
AFS #777-3393

An air quality permit, with conditions, is hereby granted to Paveco, LLC (Paveco), 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

Paveco operates a portable crushing/screening facility that will initially be located in the Southeast ¼ of the Northwest ¼ of Section 2, Township 29 North, Range 21 West, in Flathead County, Montana. However, Permit #3393-01 applies while operating at any location in Montana, except within those areas having a Department of Environmental Quality (Department)-approved permitting program or those areas considered tribal lands. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*

Addendum #1 applies to the Paveco facility while operating at any location in or within 10 kilometers (km) of nonattainment areas for particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) during the summer months (April 1 – September 30) and at sites approved by the Department during the winter months (October 1 – March 31), including the initial site location. A complete list of the permitted equipment is contained in Section I.A of the permit analysis.

B. Current Permit Action

On March 10, 2006, the Department received a request from Paveco to transfer Permit #3393-00 from T&T Contracting, Inc. to Paveco. Paveco also requested to amend the permit to allow operation in or within 10 km of a PM₁₀ nonattainment area. The request was deemed complete on April 4, 2006. The current permit action transfers ownership, and provides an addendum to allow for summertime operations (April 1 – September 30), and wintertime operations (October 1 – March 31) at specified locations, in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas. Permit #3393-01 replaces Permit #3393-00.

Section II: Limitations and Conditions

A. Operational Limitations and Conditions

1. Paveco 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 six consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR Part 60, Subpart OOO).
2. Paveco 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 six consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart OOO).

3. Paveco 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 six 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 Section II.A.1, II.A.2, and II.A.3 (ARM 17.8.752).
5. Paveco 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 averaged over six consecutive minutes and must take reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308 and ARM 17.8.752).
6. Paveco 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 1,314,000 tons during any rolling 12-month time period (ARM 17.8.749).
8. Paveco shall not operate more than one crusher at any given time and the maximum rated design capacity of the crusher shall not exceed 150 tons per hour (TPH) (ARM 17.8.749).
9. Screen production from the facility shall be limited to 1,314,000 tons during any rolling 12-month time period (ARM 17.8.749).
10. Paveco shall not operate more than one screening unit at any given time and the maximum rated design capacity of the screen shall not exceed 150 TPH (ARM 17.8.749).
11. Paveco 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 300 Kilowatts (kW) (ARM 17.8.749).
12. If the permitted equipment is used in conjunction with any other equipment owned or operated by Paveco, 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. Paveco 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).

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, 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. Paveco 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 Paveco 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. Paveco 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. Paveco 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. Paveco shall document, by month, the crushing production from the facility. By

the 25th day of each month, Paveco 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. Paveco shall document, by month, the screening production from the facility. By the 25th day of each month, Paveco 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 - Paveco 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 Paveco fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving Paveco 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 Paveco 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.

- 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. Paveco 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
Paveco, LLC
Permit Number 3393-01

I. Introduction/Process Description

A. Permitted Equipment

Paveco, LLC (Paveco) owns and operates a portable crushing/screening facility consisting of a portable 1956 Pioneer 40-inch Jaw Crusher (up to 150 tons per hour, TPH) with a 4 ft x 12 ft 2-deck screen (up to 150 TPH), a diesel generator (up to 300-Kilowatts (kW)), and associated equipment.

The proposed initial location for the facility is the Southeast ¼ of the Northwest ¼ of Section 2, Township 29 North, Range 21 West, in Flathead County, Montana. However, Permit #3393-01 applies while operating at any location in Montana, except within those areas having a Department of Environmental Quality (Department)-approved permitting program or those areas considered tribal lands. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*

Addendum #1 applies to the Paveco facility while operating at any location in or within 10 kilometers (km) of areas in nonattainment for particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) during the summer months (April 1 – September 30) and at sites approved by the Department during the winter months (October 1 – March 31), including the initial site location. A complete list of the permitted equipment is contained in Section I.A of the permit analysis.

B. Process Description

Paveco proposes to use this crushing/screening plant and associated equipment to crush sand and gravel materials for use in various construction operations. For a typical operational setup, materials are loaded into the crushing/screening plant by a feeder, transferred by conveyor, and passed through the crusher. Materials are crushed by the crusher and sent to the screens. Materials are screened, separated, and sent to stockpile for sale and use in construction operations.

C. Permit History

On March 10, 2005, the Department received an application from T&T Contracting, Inc. (T&T) to operate a portable crushing/screening facility that was initially located in Section 29, Township 6 North, Range 20 West, in Ravalli County, Montana. Permit #3393-00 was issued May 3, 2005.

D. Current Permit Action

On March 10, 2006, the Department received a request from Paveco to transfer Permit #3393-00 from T&T to Paveco. Paveco also requested to amend the permit to allow operation in or within 10 km of a PM₁₀ nonattainment area. The request was deemed complete on April 4, 2006. The current permit action transfers ownership on Permit #3393-00, and amends the permit to allow for summertime operations (April 1 – September 30), and wintertime operations (October 1 – March 31) at specified locations, in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas. Permit #3393-01 replaces Permit #3393-00.

E. Additional Information

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

II. Applicable Rules and Regulations

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

Paveco 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 PM₁₀

Paveco 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, Paveco 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 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. 40 CFR Part 60 Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants, indicates that NSPS requirements apply to crushing facilities with capacities greater than 150 tons per hour and/or that were constructed after August 31, 1983. Based on the information submitted by Paveco, the crushing/screening equipment is non-NSPS affected because the capacity is not greater than 150 tons per hour and was manufactured in 1956; therefore, NSPS Subpart OOO requirements do not currently apply to this facility.

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 Paveco submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. A permit fee is not required for the current permit action because the permit action is considered an administrative permit change.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department. 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. Paveco has a PTE greater than 15 tons per year of total particulate matter (PM), PM₁₀, and oxides of nitrogen (NO_x); therefore, an air quality permit is required.
3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit Program.
4. ARM 17.8.745 Montana Air Quality Permits--Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that do not require a permit under the Montana Air Quality Permit Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. (1) This rule requires that a permit application be submitted prior to installation, modification, or use of a source. Paveco submitted the required permit application for the current permit action. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. An affidavit of publication of public notice was not required for the current permit action because the permit change is considered an administrative permit change.
6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and

operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.

7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that Best Available Control Technology (BACT) shall be utilized. The required BACT analysis is included in Section III of this permit analysis.
8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Paveco 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 Paveco, 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 PM₁₀ in a serious PM₁₀ nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #3393-01 for the Paveco 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 PM₁₀ nonattainment area.
 - d. This facility is not subject to any current NESHAP standards.
 - e. The facility is currently not 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 Paveco will be a minor source of emissions as defined under Title V.

III. BACT Analysis

A BACT determination is required for any new or altered source. Paveco 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 BACT determination was not required for the current permit action because the permit change is considered an administrative permit change.

IV. Emission Inventory

Source	Tons/Year					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
1956 Pioneer 40-inch Jaw Crusher (up to 150 TPH)	1.64	0.79				
1956 4 ft x 12 ft 2-deck screen (up to 150 TPH)	10.35	4.93				
Material Transfer (5 Material Transfers, 150 TPH)	2.86	2.30				
Pile Forming (3 Pile Forming, 150 TPH)	8.28	3.94				
Bulk Loading (2 Bulk Loading, 150 TPH)	5.52	2.63				
Engine/Generator (up to 300-kW)	3.88	3.88	54.62	4.35	11.77	3.61
Haul Roads	2.74	1.23				
Total	35.26	19.69	54.62	4.35	11.77	3.61
PSD	31.38					

A complete emission inventory for Permit #3393-01 is on file with the Department.

V. Existing Air Quality

Permit #3393-01 is issued for the operation of a portable crushing/screening facility to be originally located in the Southeast ¼ of the Northwest ¼ of Section 2, Township 29 North, Range 21 West, in Flathead County, Montana. This permit allows Paveco to operate at any area designated as attainment or unclassified for all National Ambient Air Quality Standards (NAAQS); excluding those counties that have a Department-approved permitting program, those areas considered tribal lands, or those areas in or within 10 km of PM₁₀ nonattainment areas. *A Missoula County air quality permit would be required for locations within Missoula County, Montana.*

Addendum #1 of Permit #3393-01 would cover this portable crushing/screening plant while operating at locations in or within 10 km of a PM₁₀ nonattainment area during the winter season (October 1 through March 31) and during summertime season (April 1 – September 30) at any location in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas.

VI. Air Quality Impacts

This permit is for a portable crushing/screening plant to be located at various locations around Montana. This permit contains operational conditions and limitations that would protect air

quality for this site and the surrounding area. Also, this facility is a portable source that would operate on an intermittent and temporary basis, so any effects to air quality will be minor and short-lived. Further, the amount of controlled particulate emissions generated by this project should not cause concentrations of PM₁₀ in the ambient air that exceed the set standard.

VII. 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

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

Analysis Prepared By: Christine Weaver

Date: April 12, 2006

Addendum #1
Paveco, LLC.
Permit #3393-01

An addendum to air quality Permit #3393-01 is issued to Paveco, LLC (Paveco), 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

Paveco owns and operates a portable crushing/screening facility consisting of one portable crusher (up to 150 tons per hour (TPH)), one screen (up to 150 TPH), one diesel generator/engine (up to 300 kilowatts (kW)), and associated equipment. Paveco operates at various locations throughout Montana, including in or within 10 kilometers (km) of the following certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas: Butte, Columbia Falls, Kalispell, Libby, Thompson Falls, and Whitefish.

II. Seasonal and Site Restrictions

Addendum #1 applies to the Paveco facility while operating at any location in or within 10 km of certain PM₁₀ nonattainment areas. Additionally, seasonal and site restrictions apply to the facility as follows:

- A. During the winter season (October 1-March 31) – The only location(s) in or within 10 km of certain PM₁₀ nonattainment area where Paveco may operate is:
- Southeast ¼ of the Northwest ¼ of Section 2, Township 29 North, Range 21 West, in Flathead County; and
 - Any other site that may be approved, in writing, by the Department of Environmental Quality (Department).
- B. During the summer season (April 1-September 30) – Paveco may operate at any location in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas.
- C. Paveco shall comply with the limitations and conditions contained in Addendum #1 to Permit #3393-01. Addendum #1 shall be valid until revoked or modified. The 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 – **Winter Season (October 1 – March 31)**
1. Water and water spray bars shall be available on site at all times and operated on the crushers, screens, and all transfer points whenever necessary to maintain compliance with the opacity limitations (ARM 17.8.749).
 2. All visible emissions from the crushing/screening plant may not exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.749).

3. Paveco shall not cause or authorize to be discharged into the atmosphere from any other equipment, such as transfer points, any visible emissions that exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.749).
4. Paveco 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 six consecutive minutes (ARM 17.8.749).
5. Paveco shall treat all unpaved portions of the haul roads, 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 crushing production shall not exceed 2,400 tons during any rolling 24-hour time period (ARM 17.8.749).
7. Total screening production shall be limited to 2,400 tons during any rolling 24-hour time period (ARM 17.8.749).
8. Paveco shall not operate more than one diesel generators at any given time and the maximum rated design capacity shall not exceed 300 kilowatts (kW) (ARM 17.8.749).

B. Operational Limitations and Conditions – Summer Season (April 1 – September 30)

1. Water and water spray bars shall be available on site at all times and operated on the crushers, screens, and all transfer points whenever necessary to maintain compliance with the opacity limitations (ARM 17.8.749).
2. All visible emissions from the crushing/screening plant may not exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.749).
3. Paveco shall not cause or authorize to be discharged into the atmosphere from any other equipment, such as transfer points, any visible emissions that exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.749).
4. Paveco 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 six consecutive minutes (ARM 17.8.749).
5. Paveco shall treat all unpaved portions of the haul roads, 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 crushing production shall not exceed 3,600 tons during any rolling 24-hour time period (ARM 17.8.749).
7. Total screening production shall be limited to 3,600 tons during any rolling 24-hour time period (ARM 17.8.749).
8. Paveco shall not operate more than one diesel generators at any given time and the maximum combined rated design capacity shall not exceed 300 kilowatts (kW) (ARM 17.8.749).

C. Operational Reporting Requirements

1. Paveco shall provide the Department with written notification of job completion within 10 working days of job completion (ARM 17.8.749).
2. Paveco shall provide the Department with written notice of relocation of the permitted equipment within 15 working days before the physical transfer of the 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 at each site;
 - b. Tons of material screened by each screen at each site;
 - c. Tons of bulk material loaded at each site;
 - d. Daily hours of operation at each site;
 - e. Gallons of diesel fuel used for the generator/engine at each site;
 - 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; and
 - 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; and
 - ii. Application schedule for chemical dust suppressant, if applicable.
4. Paveco shall document, by day, the total crushing production during the winter season. Paveco shall sum the total crushing production during the previous 24 hours to verify compliance with the limitations 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 along with the annual emission inventory (ARM 17.8.749).
5. Paveco shall document, by day, the total crushing production during the summer season. Paveco shall sum the total crushing production during the previous 24 hours to verify compliance with the limitations in Section III.B.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 along with the annual emission inventory (ARM 17.8.749).

6. Paveco shall document, by day, the combined total screening production during the winter season. Paveco shall sum the combined total screening production during the previous 24 hours to verify compliance with the limitations 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 along with the annual emission inventory (ARM 17.8.749).
7. Paveco shall document, by day, the combined total screening production during the summer season. Paveco shall sum the combined total screening production during the previous 24 hours to verify compliance with the limitations in Section III.B.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 along with the annual emission inventory (ARM 17.8.749).
8. Paveco shall document, by day, the hours of operation of the diesel generator(s) during the winter season. Paveco shall total the hours of operation of the diesel generator(s) during the previous 24 hours to verify compliance with the limitations in Section III.A.8. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted along with the annual emission inventory (ARM 17.8.749).
9. Paveco shall document, by day, the hours of operation of the diesel generator(s) during the summer season. Paveco shall total the hours of operation of the diesel generator(s) during the previous 24 hours to verify compliance with the limitations in Section III.B.8. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted along with the annual emission inventory (ARM 17.8.749).

Addendum #1 Analysis
Paveco, LLC
Permit #3393-01

I. Permitted Equipment

Paveco owns and operates a portable crushing/screening facility consisting of one portable crusher (up to 150 tons per hour (TPH)), one screen (up to 150 TPH), one diesel generator/engine (up to 300 kilowatts (kW)), and associated equipment. Paveco operates at various locations throughout Montana, including in or within 10 kilometers (km) of the following certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas: Butte, Columbia Falls, Kalispell, Libby, Thompson Falls, and Whitefish.

II. Source Description

Paveco proposes to use this crushing/screening plant and associated equipment to crush sand and gravel materials for use in various construction operations. For a typical operational setup, materials are loaded into the crushing/screening plant by a hopper and transferred by conveyor and passed through the crusher. Materials are crushed, by the crusher and sent to the two screens. Materials are screened, separated, and sent to stockpile for sale and use in construction operations.

III. Applicable Rules and Regulations

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

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

- A. ARM 17.8.749 Conditions for Issuance of Permit. This rule requires that the source demonstrate compliance with applicable rules and standards before a permit can be issued. Also, a permit may be issued with such conditions as are necessary to assure compliance with all applicable rules and standards. Paveco demonstrated compliance with all applicable rules and standards as required for permit issuance.
- 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.

Paveco must submit proof of compliance with the transfer and public notice requirements when Paveco 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, the conditions and limitations in Addendum #1 to Permit #3393-01 will prevent Paveco from having a significant impact on PM₁₀ nonattainment areas.

IV. Emission Inventory

Source	Lb/Day					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
Crusher (up to 150 TPH)	9.00	4.32				
Screen (up to 150 TPH)	56.70	27.00				
Material Transfer (5 MT)	15.66	12.60				
Pile Forming (3 piles)	45.36	21.60				
Bulk Loading	30.24	14.40				
Diesel Generators (up to 300 kW)	21.24	21.24	299.31	23.85	64.50	19.79
Haul Roads	15.00	6.75				
Total	193.2	107.91	299.31	23.85	64.50	19.79

*This emission inventory is for summertime operations.

Source – restricted	Lb/Day					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
Crusher (up to 2,400 TPD)	6.0	2.9				
Screen (up to 2,400 TPD)	37.8	18.0				
Material Transfer (5 MT)	10.4	8.4				
Pile Forming (3 piles)	30.2	14.4				
Bulk Loading	20.2	9.6				
Diesel Generators (up to 300 kW)	21.2	21.2	299.3	23.9	64.5	19.8
Haul Roads	10.0	4.5				
Total	135.9	79.0	299.3	23.9	64.5	19.8

*This emission inventory is for wintertime operations.

V. Existing Air Quality

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

Addendum #1 to Permit #3393-01 is for a portable crushing/screening plant to locate at sites in or within 10 km of certain PM₁₀ nonattainment areas during the winter season (October 1 through March 31) at only the locations listed in Section II.A of Addendum #1. Addendum #1 of Permit #3393-01 would also allow for summertime operations (April 1 – September 30) at any location in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas.

VI. Air Quality Impacts

Paveco applied for an air quality permit to operate a portable crushing/screening plant to be located at various locations throughout Montana. Permit #3393-01 and Addendum #1 will cover the Paveco 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. Based on the information provided, the amount of controlled emissions generated by this facility will not exceed any ambient air quality standard. 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

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

Analysis Prepared By: Christine Weaver

Date: April 12, 2006