AIR QUALITY PERMIT

Issued To: Eighty-Eight Oil, LLC
Highway 201 Station
P.O. Drawer 2360
455 N. Poplar Street
Casper, WY 82602

Permit: #3421-02
Application Complete: 2/21/08
Preliminary Determination Issued: 4/1/08
Department's Decision Issued: 4/17/08
Permit Final: 5/3/08
AFS: #083-0062

An air quality permit, with conditions, is hereby granted to Eighty-Eight Oil, LLC (EEO), pursuant to Sections 75-2-204 and 211 of the 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

EEO operates a crude oil transportation facility known as the Highway 201 Station. The facility is located in the SW ¼ of the NW ¼ of Section 3, Township 24 North, Range 54 East, in Richland County, Montana. The facility's office is located in Casper, Wyoming. A complete list of the permitted equipment is contained in Section I.A of the Permit Analysis.

B. Current Permit Action

On February 19, 2008, the Department of Environmental Protection – Air Resources Management Bureau (Department) received an application from EEO for a permit modification, in order to allow the operation of a backup 275-horsepower (hp) diesel generator. The permit was written in a de minimis-friendly manner.

SECTION II: Conditions and Limitations

A. Emission Control Requirements

1. EEO shall operate no more than two 1,000- barrel (bbl) crude oil storage tanks. EEO shall control volatile organic compound (VOC) emissions from the tanks through use of internal floating roofs (IFRs) (ARM 17.8.752).

2. EEO shall limit crude oil throughput to no more than 1,825,000 barrels during any rolling 12-month time period (ARM 17.8.749).

3. EEO shall operate no more than one propane-fired generator (Genset) with a maximum rated design capacity of 208-hp (ARM 17.8.749).

4. The 208-hp Genset shall be a four-cycle turbocharged spark-ignited rich-burn reciprocating internal combustion engine (RICE). Emissions from the RICE shall not exceed the following limits, on a pounds per hour (lb/hr) basis (ARM 17.8.752):

Oxides of Nitrogen (NO_x):	8.48 lb/hr
Carbon Monoxide (CO):	0.75 lb/hr
VOC:	0.90 lb/hr

5. EEO shall operate no more than one diesel-fired Genset with a maximum rated design capacity of 275-hp, at any one time (ARM 17.8.749).

6. Emissions from the diesel-fired Genset shall not exceed the following limits, on a pounds per brake-horsepower hour (lb/bhp-hr) basis (ARM 17.8.752):

NO_x:	0.017 lb/bhp-hr
CO:	0.0044 lb/bhp-hr
VOC:	0.0005 lb/bhp-hr
Particulate Matter less than 10 microns (PM_{10}):	0.0006 lb/bhp-hr

7. EEO shall operate all equipment to provide the maximum air pollution control for which it was designed (ARM 17.8.752).

8. EEO shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any sources installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).

9. EEO shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).

10. EEO 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 precaution limitation in Section II.A.9 (ARM 17.8.749).

11. EEO shall comply with all applicable standards and limitations, and the reporting, record keeping, and notification requirements contained in 40 CFR Part 60, Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels* (ARM 17.8.340 and 40 CFR 60, Subpart Kb).

12. EEO shall comply with all applicable standards and limitations, and the reporting, record keeping, and notification requirements contained in 40 CFR 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* and 40 CFR 63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*, for any applicable diesel RICE engine (ARM 17.8.340, 40 CFR 60, Subpart IIII, ARM 17.8.342, and 40 CFR 63, Subpart ZZZZ).

13. EEO shall comply with all applicable standards and limitations, and the reporting, record keeping, and notification requirements contained in 40 CFR 60, Subpart JJJJ, *Standards of Performance for Stationary Spark Ignition Internal Combustion Engines*, and 40 CFR 63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*, for any applicable propane RICE engine (ARM 17.8.340, 40 CFR 60, Subpart JJJJ, ARM 17.8.342, and 40 CFR 63, Subpart ZZZZ).

B. Inspection and Repair Requirements

1. Each calendar month, EEO shall inspect all fugitive piping components (valves, flanges, pump seals, open-ended lines) for leaks. For purposes of this requirement, detection methods incorporating sight, sound, or smell are acceptable (ARM 17.8.105 and ARM 17.8.749).

2. EEO shall (ARM 17.8.105 and ARM 17.8.749):

   a. Make a first attempt at repair for any leak not later than 5 calendar days after the leak is detected; and

   b. Repair any leak as soon as practicable, but no later than 15 calendar days after it is detected, except as provided in Section II.B.3.

3. Delay of repair of equipment, for which a leak has been detected, will be allowed if the repair is technically infeasible without a source shutdown. Such equipment shall be repaired before the end of the first source shutdown after detection of the leak (ARM 17.8.749).

C. Testing Requirements

1. EEO shall test the propane-fired Genset unit for NO_x and CO concurrently to demonstrate compliance with the NO_x and CO emission limits in Section II.A.4 according to a testing/monitoring schedule as required by the Department (ARM 17.8.105 and 17.8.749).

2. EEO shall test the diesel-fired Genset unit for NO_x and CO concurrently to demonstrate compliance with the NO_x and CO emission limits in Section II.A.6 according to a testing/monitoring schedule as required by the Department (ARM 17.8.105 and 17.8.749).

3. The Department may require further testing (ARM 17.8.105).

4. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).

D. Operational Reporting Requirements

1. EEO 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 emission inventory contained in the permit analysis 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 the units required by the Department. This information may be used to calculate operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505). EEO shall submit the annual crude oil throughput, by month, to the Department annually by March 1 of each year; the information may be submitted along with the annual emission inventory (ARM 17.8.505).

2. EEO 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).

3. EEO shall provide notification to the Department of the replacement of either the propane or diesel-fired Genset units, in conformance with Section II.D.2 as well as 40 CFR Part 60 and Part 63 (ARM 17.8.745, ARM 17.8.340 and ARM 17.8.342).

4. All records compiled in accordance with this permit must be maintained by EEO as a permanent business record for at least 5 years following the date of the measurement, must be available at the plant site or EEO's local office for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).

5. EEO shall document, by month, the crude oil throughput for the facility. By the 25th day of each month, EEO shall total the crude oil throughput for 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.2. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

E. Record keeping Requirements

A record of each monthly leak inspection required by Section II.B.1 of this permit shall be kept on file with EEO either at the plant site or EEO's local office. Inspection records shall include, at a minimum, the following information (ARM 17.8.749):

1. Date of inspection;

2. Findings (may indicate no leaks discovered or location, nature, and severity of each leak);

3. Leak determination method;

4. Corrective action (date each leak repaired and reasons for any repair interval in excess of 15 calendar days); and

5. Inspector's name and signature.

SECTION III: General Conditions

A. Inspection – EEO 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 or observing any monitoring, or testing (i.e. CEMS, CERMS), and otherwise conducting all necessary functions related to this permit.

B. Waiver – The permit and the terms, conditions, and matters stated herein shall be deemed accepted if EEO fails to appeal as indicated below.

C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving EEO 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 action 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 the Department either at the location of the source or EEO's local office.

G. Permit Fee – Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by EEO 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 three years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked (ARM 17.8.762).

Permit Analysis
Eighty-Eight Oil LLC
Highway 201 Station
Permit #3421-02

I. Introduction/Process Description

Eighty-Eight Oil LLC (EEO) operates a crude oil transportation facility known as the Highway 201 Station, located in the SW ¼ of the NW ¼ of Section 3, Township 24 North, Range 54 East, in Richland County, Montana.

A. Permitted Equipment

The EEO Highway 201 facility consists of the following equipment:

- 208-horsepower (hp) Cummins GTA8.3 propane-fired Genset, which is a 4-cycle turbocharged spark-ignited rich-burn reciprocating internal combustion engine (RICE);
- 275-hp backup Caterpillar diesel generators (tandem set, no more than one operating at any given time);
- Two 1,000-barrel (bbl) internal floating roof (IFR) crude oil storage tanks;
- Three truck unloading stations; and
- 2000-gallon (gal) diesel fuel tank.

B. Source Description

The Highway 201 Station receives crude oil that is trucked into the facility and offloaded at one of three truck unloading stations into one of two 1,000-bbl tanks. Emissions from the tanks are controlled by IFRs. The crude oil is shipped offsite from the storage tanks via an underground pipeline. Since the site is remote, there is no electric power or natural gas supply. Therefore, the propane-fired 208-hp Genset supplies both electricity for the site and power to pump the crude oil. A 275-hp backup diesel generator, with associated 2,000-gal diesel fuel tank, is also on-site in the event the propane generator is unavailable.

C. Permit History

On April 13, 2006, the Department of Environmental Quality (Department) issued **Permit #3421-00** to EEO, for the construction and operation of a crude oil unloading facility. The equipment contained in this permit included: 208-hp Cummins GTA8.3 propane-fired Genset; 82-hp Waukesha F817G propane-fired Genset (temporary); 82-hp Waukesha F817G propane-fired pump engine (temporary); four 400-barrel crude oil storage tanks with emission control; and three truck unloading stations.

On October 23, 2006, the Department received notification from EEO that the temporary Waukesha Genset and pump engines were removed, and that the four 400-bbl fixed roof tanks were being replaced by two 1,000-bbl IFR tanks. On January 22, 2007, the Department received a letter from EEO that the tank replacement was complete.

Since the 1,000-bbl tanks are regulated by 40 CFR 60, Subpart Kb (Standards of Performance for Volatile Organic Liquid Storage Vessels), use of IFR or comparable control is federally-enforceable; therefore, the IFR can be considered in establishing the tank's potential emissions. Considering the IFR, the potential to emit (PTE) for the two 1,000-bbl tanks are below de minimis permitting thresholds contained in the Administrative Rules of Montana (ARM) 17.8.745. Therefore, removal of the temporary Genset and pump engines and revision of the permit to reflect the change in tanks can be accomplished through an administrative action. **Permit #3421-01** replaced Permit #3421-00.

D. Current Permit Action

On February 19, 2008, the Department received an application for a permit modification, in order to allow the operation of a backup 275- hp diesel generator. The permit is written in a de minimis-friendly manner. **Permit #3421-02** replaces Permit #3421-01.

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 ARM and are available, upon request, from the Department. Upon request, the Department will provide references for location 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 includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.

2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.

3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq*., Montana Code Annotated (MCA).

   EEO shall comply with the requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than four hours.

5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

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

1. ARM 17.8.204 Ambient Air Monitoring
2. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
3. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
4. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
5. ARM 17.8.213 Ambient Air Quality Standard for Ozone
6. ARM 17.8.214 Ambient Air Quality Standard for Hydrogen Sulfide
7. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
8. ARM 17.8.221 Ambient Air Quality Standard for Visibility
9. ARM 17.8.222 Ambient Air Quality Standard for Lead
10. ARM 17.8.223 Ambient Air Quality Standard for PM_{10}

EEO must maintain compliance with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 3 – Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes.

2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of less than 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter (PM). (2) Under this rule, EEO 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, allow, or permit 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 Process. This rule requires that no person shall cause, allow, or permit 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. (1) No person shall place, store, or hold in any stationary tank, reservoir, or other container of more than 65,000 gallons capacity any crude oil, gasoline, or petroleum distillate having a vapor pressure of 2.5 pounds per square inch absolute or greater under actual storage conditions, unless such tank, reservoir, or other container is designed and equipped with one of the specified vapor loss control devices, properly installed, in working order, and in operation. (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 is equipped with a vapor loss control device as described in (1) of this rule.

7. ARM 17.8.340 Standard of Performance for New Stationary Sources and Emission Guidelines for Existing Sources. This rule incorporates, by reference, 40 Code of Federal Regulations (CFR) 60, Standards of Performance for New Stationary Sources (NSPS). The Highway 201 Station is subject to the following NSPS:

a. 40 CFR 60, Subpart Kb – Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, is applicable to the facility because EEO operates affected storage vessels. Since each of the petroleum liquid storage vessels at the facility has a maximum capacity of 160 cubic meters (m^3), and does not meet the exemption criteria, the facility is subject to this NSPS standard. However, since the diesel storage tank is less than 75 m^3, it is not subject to this standard.

b. 40 CFR 60, Subpart IIII - Stationary Compression Ignition Internal Combustion Engines, applies to any diesel generator manufactured after April 1, 2006, or modified or reconstructed after July 11, 2005. Although purchased after this date, the engine was manufactured by the early 1980's so it is not subject to this subpart. However, since the permit is written to allow EEO to operate any diesel generator up to 275 hp, this regulation may apply in the future.

c. 40 CFR 60, Subpart JJJJ - Stationary Spark Ignition Internal Combustion Engines, would apply to EEO if they ordered a spark ignition (SI) internal combustion engine (ICE) for operation at this facility after July 1, 2008. Since the permit is written to allow EEO to operate any propane generator up to 208 hp, this regulation may apply in the future.

8. ARM 17.8.342 Emission Standards for Hazardous Air Pollutants for Source Categories. The source, as defined and applied in 40 CFR Part 63, shall comply with the requirements of 40 CFR Part 63, as listed below:

a. Subpart A – General Provisions apply to all equipment or facilities subject to an National Emission Standard for Hazardous Air Pollutants (NESHAPs) Subpart as listed below:

b. 40 CFR 63, Subpart HH - National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities. Based on the information submitted by EEO, the Highway 201 Station is not subject to the provisions of this Maximum Achievable Control Technology (MACT), because the facility is not a major source of Hazardous Air Pollutants (HAPs).

c. 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. As an area source, the following RICE at EEO will be subject to this rule:

- Four-stroke rich-burn propane RICE engines: are an affected source, but per 40 CFR 63.5490(b)(3) they do not have any requirements unless they are new or reconstructed after June 12, 2006; or

- Diesel RICE engines: are an affected source, but per 40 CFR 63.5490(b)(3) they do not have any requirements unless they are new or reconstructed after June 12, 2006.

Since the permit is written to allow EEO to operate any propane Genset up to 208-hp and any diesel generator up to 275-hp, this regulation will apply to any propane or diesel RICE engine that meets the definition of "new" or "reconstructed."

D. ARM 17.8, Subchapter 5 – Air Quality Permit Application, Operation, and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. EEO submitted the appropriate permit application fee for the current permit action.

2. ARM 17.8.505 Air Quality Permit Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit (excluding an open burning permit) issued by the Department. The air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

   An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that prorate 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 person to obtain an air quality permit or permit alteration to construct, alter or use any air contaminant sources that have the PTE greater than 25 tons per year of any pollutant. The Highway 201 Station has an uncontrolled PTE greater than 25 tons per year of 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, alteration or use of a source. EEO 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. EEO submitted an affidavit of publication of public notice for the February 13, 2008, issue of the *Sidney Herald*, a newspaper of general circulation in the Town of Sidney in Richland 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 used. The BACT analysis is discussed 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 EEO 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 one year after the permit is issued.

12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).

13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.

14. ARM 17.8.765 Transfer of Permit. 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 since this facility is not a listed source and the facility's PTE is below 250 tons per year of any pollutant (excluding fugitive emissions).

G. ARM 17.8, Subchapter 12 – Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any source having:

   a. PTE > 100 tons per year of any pollutant;

   b. PTE > 10 tons per year of any one HAP, PTE > 25 tons per year of a combination of all HAPs, or lesser quantity as the Department may establish by rule; or

   c. PTE > 70 tons per year of particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}) in a serious PM_{10} nonattainment area.

2. ARM 17.8.1204 Air Quality Operating Permit Program. (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 #3421-02 for EEO, the following conclusions were made:

   a. The facility's PTE is less than 100 tons per year for any pollutant.

   b. The facility's PTE is less than 10 tons per year for any one HAP and less than 25 tons per year for all HAPs.

   c. This source is not located in a serious PM_{10} nonattainment area.

   d. This facility is subject to a current NSPS (40 CFR 60, Subpart Kb, and potentially Subpart IIII and Subpart JJJJ).

   e. This facility is subject to a current NESHAP standard (40 CFR 63, Subpart ZZZZ).

   f. This source is not a Title IV affected source, nor a solid waste combustion unit.

   g. This source is not an Environmental Protection Agency (EPA) designated Title V source.

   Based on these facts, the Department determined that EEO is a minor source of emissions as defined under Title V.

III. BACT Determination

A BACT determination is required for each new or altered source. EEO shall install on the new or altered source the maximum air pollution control capability which is technically practicable and economically feasible, except that BACT shall be utilized. The backup diesel-fired Genset units (two tandem 275-hp Caterpillar engines, of which only one could run at a time) and the 2,000-gallon diesel storage tank are the only newly permitted pieces of equipment for this site, and therefore the only ones reviewed for conformance with BACT.

For the diesel-fired Genset units, firing low sulfur diesel fuel with less than 500 ppm sulfur constitutes BACT for SO_2. Due to the relatively small amount of PM, PM_{10}, NO_x, carbon monoxide (CO), and volatile organic compound (VOC) emissions produced by the diesel generator, add-on controls would be cost-prohibitive. In addition, the manufacturer's technical data sheet indicates

that the emissions of NO_x, CO, VOC, and PM_{10} are all well under the established AP-42 emission factors. These lower emission rates were incorporated into the BACT-set emission limits for the Genset unit, since maintenance of the engine to ensure operation of this engine at the expected performance standards would be considered BACT. Thus, the Department determined that no additional control would constitute BACT for the generator. This determination is similar to other recently permitted similar sources.

For the 2,000-gallon diesel storage tank, no control is determined to be BACT. Since the potential VOC emissions are so low (less than 2 pounds per year) any add-on control would be cost-prohibitive. This determination is similar to other recently permitted similar sources.

IV. Emission Inventory

	Pollutants – tons per year				
Source	**NO_x**	**CO**	**VOC**	**SO_2**	**PM_{10}**
208-hp Genset (propane)	37.2	3.3	4.0	--	negligible
275-hp Genset (diesel)	20.5	5.2	0.6	0.01	0.7
Two 1,000-bbl IFR tanks	--	--	0.4	--	--
Fugitive	--	--	2.2	--	4.3
TOTAL	**57.6**	**8.5**	**7.1**	**0.01**	**5.0**

208-hp Propane-Fired Genset

Fuel Heating Value: 208 hp
Fuel Consumption Rate: 2.06 MMBtu/hr (Company Information)
Fuel: Propane

NO_x Emissions:

Emission Factor: 18.5 g/hp-hr (Manufacturers' Information)
Calculations: 18.5 g/hp-hr * 0.002205 lb/g * 208 hp = 8.48 lb/hr
8.48 lb/hr * 8760 hr/yr * 0.0005 ton/lb = 37.2 ton/yr

CO Emissions:

Emission Factor: 1.64 g/hp-hr (Manufacturers' Information)
Calculations: 1.64 g/hp-hr * 0.002205 lb/g * 208 hp = 0.75 lb/hr
0.75 lb/hr * 8760 hr/yr * 0.0005 ton/lb = 3.3 ton/yr

VOC Emissions:

Emission Factor: 1.97 g/hp-hr (Manufacturers' Information)
Calculations: 1.97 g/hp-hr * 0.002205 lb/g * 208 hp = 0.90 lb/hr
0.90 lb/hr * 8760 hr/yr * 0.0005 ton/lb = 4.0 ton/yr

275-hp Diesel-Fired Genset

Fuel Heating Value: 275 hp
Firing Rate: 1.9 MMBtu/hr
Fuel: Diesel, 15 ppm sulfur

NO_x Emissions:

Emission Factor: 4.67 lb/hr (Manufacturers' Information @ 2200 revolutions per minute (RPM))
Calculations: 4.67 lb/hr * 8760 hr/yr * 0.0005 ton/lb = 20.5 ton/yr

CO Emissions:

Emission Factor: 1.19 lb/hr (Manufacturers' Information @ 1800 RPM)
Calculations: 1.19 lb/hr * 8760 hr/yr * 0.0005 ton/lb = 5.2 ton/yr

VOC Emissions:

Emission Factor: 0.13 lb/hr (Manufacturers' Information @ 2200 RPM)
Calculations: 0.13 lb/hr * 8760 hr/yr * 0.0005 ton/lb = 0.6 ton/yr

SO_2 Emissions:

Emission Factor: 8.09E-03*S lb/hp-hr (AP-42 Section 3.4-1, 10/96)
Calculations: 8.09E-03*0.0015 lb/hp-hr * 275 hp = 0.003 lb/hr
0.003 lb/hr * 8760 hr/yr * 0.005 ton/lb = 0.01 ton/year

PM_{10} Emissions:

Emission Factor: 0.165 lb/hr (Manufacturers' Information @ 1800 RPM)
Calculations: 0.165 lb/hr * 8760 hr/yr * 0.0005 ton/lb = 0.7 ton/yr

1,000-bbl Crude Oil Tanks

Tanks 4.0d was used to calculate VOC emissions from the 1,000-bbl, internal floating roof tanks
Basis: 912,500 bbl/yr crude oil throughput for each tank
Crude Oil @ RVP 7.0
Result: 368 lb/year VOC (= 0.18 TPY) per tank

VOC Fugitive Leaks

Leak factors from Protocol for Equipment Emission Estimates (EPA-453/R-95-017, 11/95)
Assumes fugitive leaks are 100% VOC

Number of Components	# Gas Components	Gas Emiss (lb/hr)	# Light Oil Components	Oil Emiss (lb/hr)
Valves	2	2.0E-02	20	1.1E-01
Pump Seals	0		5	1.4E-01
Others	0		12	2.0E-01
Connectors	2	8.8E-04	21	9.7E-03
Flanges	0		20	4.9E-03
Open-Ended Lines	2	8.8E-03	2	6.2E-03
TOTAL		**0.03**		**0.473**

Total Emissions = 0.03 lb/hr gas emissions + 0.473 lb/hr oil emissions = 0.503 lb/hr VOC (=2.2 TPY)

PM_{10} Vehicle Traffic Fugitive Emissions

PM_{10} from vehicle traffic on unpaved roads (AP-42, Chapter 13.2.2 (12/03))
Unpaved distance 0.125 miles
Number of vehicles 20
Result: 4.3 TPY PM_{10}

V. Existing Air Quality

The EEO Highway 201 facility is located in eastern Montana in a sparsely populated area with generally very good ventilation throughout the year. The legal description of the facility is the SW ¼ of the NW ¼ of Section 3, Township 24 North, Range 54 East, in Richland County, Montana.

Richland County is unclassifiable/attainment for the National Ambient Air Quality Standards (NAAQS) for all criteria pollutants.

VI. Ambient Air Impact Analysis

The Department determined that the impact from this permitting action will be minor. The Department believes it will not cause or contribute to a violation of any ambient air quality standard.

VII. Taking or Damaging Implication Analysis

As required by 2-10-105, 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 (MEPA), was completed for this project. A copy is attached.

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

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Eighty-Eight Oil LLC
Highway 201 Station
Richland County, MT

Air Quality Permit Number: 3421-02

Preliminary Determination Issued: April 1, 2008
Department Decision Issued: April 17, 2008
Permit Final: May 3, 2008

1. *Legal Description of Site*: The facility is located in the SW ¼ of the NW ¼ of Section 3, Township 24 North, Range 54 East, in Richland County, Montana.

2. *Description of Project*: EEO proposes to install and operate a backup 275- hp diesel engine with an associated 2,000-gal diesel storage tank.

3. *Objectives of Project*: The proposed project would allow EEO to have backup power in case the primary propane generator is unavailable.

4. *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 Montana Air Quality Permit to the proposed facility. However, the Department does not consider the "no-action" alternative to be appropriate because EEO demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the "no-action" alternative was eliminated from further consideration.

5. *A Listing of Mitigation, Stipulations, and Other Controls*: A list of enforceable conditions, including a BACT analysis, would be included in Permit #3421-02.

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

7. *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 Resources			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

Minor impacts on terrestrial or aquatic life and habitats would be expected from the proposed project because the facility would be a source of air pollutants. While the facility would emit air pollutants and corresponding deposition of pollutants would occur, the Department determined that any impacts from deposition would be minor due to the relatively small amount of pollutants emitted, (see Section 7.F of this EA), and conditions that would be placed in Permit #3421-02. Any impacts from facility construction would be minor due to the relatively small size of the facility and the fact that construction would take place at an existing 5 acre site. Overall, any impacts to terrestrial and aquatic life and habitats would be minor.

B. Water Quality, Quantity, and Distribution

Minor to moderate impacts could be expected on water quality, quantity, and distribution from the proposed project. While the facility would emit air pollutants and corresponding deposition of pollutants would occur, the Department determined that any impacts from deposition would be minor due to the relatively small amount of pollutants emitted (see Section 7.F of this EA), and conditions that would be placed in Permit #3421-02.

According to review of the topographic map of the area, the facility is located close to a drainage area that flows north/northwest and possibly connects to West Charlie Creek. The creek is located approximately one mile to the west of the facility. The current project will have only an additional minor impact on the potential impact to water quality due to the addition of a 2,000-gal diesel fuel tank and the 275-hp diesel engine.

C. Geology and Soil Quality, Stability, and Moisture

Minor impacts would occur on the geology and soil quality, stability, and moisture from the proposed project because minor construction would be required to complete the project. Any impacts to the geology and soil quality, stability, and moisture from facility construction would be minor due to the relatively small size of the project. In addition, while deposition of pollutants would occur, the Department determined that the chance of pollutant deposition impacting the geology and soil in the areas surrounding the site would be minor due to the relatively small amount of pollutants emitted (see Section 7.F of this EA). Permit #3421-02 would contain conditions that would also minimize impacts to geology and soil by limiting the amount of equipment installed at the facility and limiting the emissions from the facility. Overall, any impacts to the geology and soil quality, stability, and moisture would be minor.

D. Vegetation Cover, Quantity, and Quality

Minor impacts would occur on vegetation cover, quantity, and quality because minor construction would be required to complete the project. Any impacts to the vegetation cover, quantity, and quality from facility construction would be minor due to the relatively small size of the project and the construction takes place at an existing site. In addition, while deposition of pollutants would occur, the Department determined that the chance of deposition of pollutants impacting the vegetation in the areas surrounding the site would be minor due to the relatively small amount of pollutants emitted (see Section 7.F of this EA). Permit #3421-02 contains conditions that would also minimize the impacts to vegetation by limiting the amount of equipment installed at the facility and limiting the emissions from the facility. Overall, any impacts to vegetation cover, quantity, and quality would be minor.

E. Aesthetics

Although the facility has existed since 2005, minor impacts would result on the aesthetics of the area because of the installation of the new diesel generator. However, since this generator will function as a backup generator, there should be no significant change over the existing propane Genset. Overall, any aesthetic impacts would be minor due to the relatively small size of the facility and the permit conditions that would minimize emissions from the facility.

F. Air Quality

The air quality of the area would realize minor impacts from the proposed project because the facility would emit relatively small amounts of NO_x and CO, and very small amounts of VOC, PM_{10}, HAPs, and sulfur dioxide (SO_2). In addition, air emissions from the facility would be minimized by conditions that would be placed in Permit #3421-02. Permit #3421-02 would also include conditions requiring EEO to use reasonable precautions to control fugitive dust emissions.

While deposition of pollutants would occur as a result of operating the facility, the Department determined that any air quality impacts from deposition of pollutants would be minor due to dispersion characteristics of pollutants, the atmosphere (wind speed, wind direction, ambient temperature, etc.), and conditions that would be placed in Permit #3421-02. The Department determined that controlled emissions from the source will not cause or contribute to a violation of any ambient air quality standard. Therefore, any impacts to air quality from the proposed facility would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

In an effort to identify any unique endangered, fragile, or limited environmental resources in the area, the Department contacted the Montana Natural Heritage Program, Natural Resource Information System (NRIS) in 2006. In this case, the area was defined by the section, township, and range of the proposed location with an additional one-mile buffer zone. The NRIS search identified no species of special concern. Due to the minor amounts of construction that would be required, the relatively low levels of pollutants that would be emitted, and conditions that would be placed in Permit #3421-02, the Department determined that the chance of the project impacting any species of special concern would be minor.

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

The proposed project would have impacts on the demands on the environmental resources of air and water because the facility would be a source of air pollutants. However, any impacts on the environmental resources of air would be minor because the facility's potential to emit would be relatively small by industrial standards. The proposed project would have minor impacts on the demand on the environmental resource of energy because diesel will be used to operate the generator. Overall, any impacts on the demands on the environmental resources of air, water, and energy would be minor.

I. Historical and Archaeological Sites

In an effort to identify any historical and archaeological sites near the proposed project area, the Department contacted the Montana Historical Society, State Historic Preservation Office (SHPO) in 2006. According to SHPO records, there have not been any previously recorded historic or archaeological sites within the proposed area. In addition, SHPO records indicated that no previous cultural resource inventories have been conducted in the area. SHPO stated that there was a low likelihood that cultural properties would be impacted and that a recommendation for a cultural resource inventory was unwarranted. However, SHPO requested to be contacted to have the site investigated if cultural materials are inadvertently discovered. Therefore, the Department determined that the chance of the project impacting any cultural or historic sites would be minor.

J. Cumulative and Secondary Impacts

Overall, the cumulative and secondary impacts on the physical and biological aspects of the human environment in the immediate area would be minor due to the relatively small size of the project. Potential emissions from the facility would be relatively small by industrial standards. The Department expects this facility to operate in compliance with all applicable rules and regulations outlined in Permit #3421-02.

8. *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 following comments have been prepared by the Department.

A. Social Structures and Mores

The proposed project would not cause a disruption to any native or traditional lifestyles or communities (social structures or mores) in the area because the proposed project would take place in a remote location immediately adjacent to a county road, at a site existing since 2005. The proposed project would not change the predominant use of the surrounding area and the facility would be relatively small by industrial standards.

B. Cultural Uniqueness and Diversity

The cultural uniqueness and diversity of the area would remain unchanged from the proposed project (no impact) because the proposed project would take place in a remote location immediately adjacent to a county road, at a site existing since 2005. The proposed project would not change the predominant use of the surrounding area and the facility would be relatively small by industrial standards.

C. Local and State Tax Base and Tax Revenue

The proposed project would result in minor, if any, impacts to the local and state tax base and tax revenue. The facility employs one person, which is not expected to change due to the proposed project. In addition, only minor amounts of construction would be needed to complete the project.

D. Agricultural or Industrial Production

The land (approximately 5 acres) occupied by the facility was open range land (mixed native and cultivated range grasses) used for livestock grazing prior to 2005. The proposed changes will not expand the facility footprint or change the land use since the 2005 construction. The

crude oil station may promote future industrial production in the area. Overall, any impacts to agricultural or industrial production would be minor.

E. Human Health

The proposed project would result in only minor, if any, impacts to human health because of the relatively small quantity of potential emissions. As explained in Section 7.F of this EA, deposition of pollutants would occur. However, the Department determined that the proposed project, permitted by Permit #3421-02, would comply with all applicable air quality rules, regulations, and standards. These rules, regulations, and standards are designed to be protective of human health.

F. Access to and Quality of Recreational and Wilderness Activities

The proposed project would not have any impacts on access to recreational and wilderness activities because of the relatively small size of the facility. The proposed project would not have impacts on the quality of recreational and wilderness activities in the area.

G. Quantity and Distribution of Employment

The proposed project would not affect the quantity and distribution of employment from the one employee currently assigned to the station. However, temporary construction-related positions could result from this project. Any impacts to the quantity and distribution of employment would be minor due to the relatively small size of the facility.

H. Distribution of Population

The proposed project would not affect distribution of population in the area because the facility would be located in a relatively remote location, at a site existing since 2005. The proposed project would not cause an increase in population in the area. In addition, the proposed project would not have impacts that would cause a decrease in the distribution of population in the surrounding area because the facility would be relatively small by industrial standards and the facility would only emit relatively small amounts of emissions.

I. Demands for Government Services

There would be minor impacts on demands of government services because additional time would be required by government agencies to issue Permit #3421-02 and to monitor compliance with applicable rules and standards. In addition, the roads in the area may realize a minor increase in vehicle traffic. However, any impacts on government services to regulate the minor increase in traffic would be minor due to the overall small size of the operation. Overall, any impacts on the demands for government services would be minor.

J. Industrial and Commercial Activity

Only minor impacts would be expected on the local industrial and commercial activity because the proposed project would represent only a minor increase in the industrial and commercial activity in the area. However, any new oil & gas well facilities with a PTE greater than 25 tons per year of any regulated air pollutant would be required to register or obtain a Montana Air Quality Permit and the Department would perform an EA for each permit application, evaluating impacts to industrial and commercial activity for each proposed project.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans and goals affected by issuing Permit #3421-02. The state standards would protect the proposed site and the environment surrounding the site.

L. Cumulative and Secondary Impacts

Overall, cumulative and secondary impacts from the proposed project would result in minor impacts to the economic and social aspects of the human environment in the immediate area due to the relatively small size of the facility. Due to the relatively small size of the project, the industrial production, employment, and tax revenue (etc.) would not be significantly impacted by the proposed project. The Department would not expect other industries to be impacted by the proposed project and the Department believes that this facility could be expected to operate in compliance with all applicable rules and regulations as would be outlined in Permit #3421-02.

In addition, further cumulative impacts may result from other companies actively drilling in the surrounding area. The companies would likely apply for air quality permits for additional facilities. However, impacts from additional facilities that require air quality permits would be evaluated upon the Department's receipt of any future permit applications.

Recommendation: No Environmental Impact Statement (EIS) is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: The current permitting action is for the construction and operation of a crude oil tank farm facility. Permit #3421-02 would include conditions and limitations to ensure the facility would operate in compliance with all applicable rules and regulations. In addition, there are no significant impacts associated with this proposal.

Other groups or agencies contacted or which may have overlapping jurisdiction: Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Natural Heritage Program

Individuals or groups contributing to this EA: Department of Environmental Quality – Air Resources Management Bureau, Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Natural Heritage Program

EA prepared by: Christine Weaver
Date: March 13, 2008