

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
OPERATING PERMIT TECHNICAL REVIEW DOCUMENT #TRD3211-00**

**Permitting and Compliance Division  
1520 E. Sixth Avenue  
P.O. Box 200901  
Helena, Montana 59620-0901**

Basin Creek Power Services, LLC  
Butte Industrial Park  
NW ¼ of the NW ¼ of Section 18, Township 2 North, Range 7 West, Silver Bow County, MT  
220 North Alaska  
Butte, MT 59701

The following table summarizes the air quality programs testing, monitoring, and reporting requirements applicable to this facility.

<b>Facility Compliance Requirements</b>	Yes	No	Comments
Source Tests Required	X		Methods 5, 7E, and 10
Ambient Monitoring Required		X	
COMS Required		X	
CEMS Required		X	
Schedule of Compliance Required		X	
Annual Compliance Certification and Semiannual Reporting Required	X		As Applicable
Monthly Reporting Required		X	
Quarterly Reporting Required		X	
<b>Applicable Air Quality Programs</b>			
ARM Subchapter 7 Preconstruction Permitting	X		Permit #3211-02
New Source Performance Standards (NSPS)		X	
National Emission Standards for Hazardous Air Pollutants (NESHAPS)		X	Except for 40 CFR 61, Subpart M
Maximum Achievable Control Technology (MACT)		X	
Major New Source Review (NSR)		X	
Prevention of Significant Deterioration (PSD)		X	
Risk Management Plan Required (RMP)		X	
Acid Rain Title IV	X		Low Mass Emitting Unit (LME)
State Implementation Plan (SIP)	X		General SIP

TABLE OF CONTENTS

**SECTION I. GENERAL INFORMATION..... 3**

- A. PURPOSE..... 3
- B. FACILITY LOCATION ..... 3
- C. FACILITY BACKGROUND INFORMATION ..... 3
- D. TAKING AND DAMAGING ANALYSIS ..... 5
- E. COMPLIANCE DESIGNATION ..... 5

**SECTION II. SUMMARY OF EMISSION UNITS ..... 6**

- A. FACILITY PROCESS DESCRIPTION ..... 6
- B. EMISSION UNITS AND POLLUTION CONTROL DEVICE IDENTIFICATION ..... 6
- C. CATEGORICALLY INSIGNIFICANT SOURCES/ACTIVITIES ..... 6

**SECTION III. PERMIT CONDITIONS ..... 7**

- A. EMISSION LIMITS AND STANDARDS ..... 7
- B. MONITORING REQUIREMENTS ..... 7
- C. TEST METHODS AND PROCEDURES ..... 8
- D. RECORDKEEPING REQUIREMENTS ..... 8
- E. REPORTING REQUIREMENTS ..... 8
- F. PUBLIC NOTICE ..... 8
- G. DRAFT PERMIT COMMENTS ..... 9

**SECTION IV. NON-APPLICABLE REQUIREMENT ANALYSIS ..... 10**

**SECTION V. FUTURE PERMIT CONSIDERATIONS ..... 12**

- A. MACT STANDARDS ..... 12
- B. NESHAP STANDARDS ..... 12
- C. NSPS STANDARDS ..... 12
- D. CAM REQUIREMENTS ..... 12
- E. RISK MANAGEMENT PLAN ..... 12

## SECTION I. GENERAL INFORMATION

### A. Purpose

This document establishes the basis for the decisions made regarding the applicable requirements, monitoring plan, and compliance status of emission units affected by the operating permit proposed for this facility. The document is intended for reference during review of the proposed permit by the EPA and the public. It is also intended to provide background information not included in the operating permit and to document issues that may become important during modifications or renewals of the permit. Conclusions in this document are based on information provided in the application submitted by Basin Creek Power Services, LLC (BCP), on February 24, 2004.

### B. Facility Location

The proposed BCP facility will be located approximately 2 miles south of the Bert Mooney Airport in the Butte, Montana, Industrial Park. The total property area is approximately 20 acres with the facility occupying approximately 10 acres. The legal description of the site is the NW ¼ of the NW ¼ of Section 18, Township 2 North, Range 7 West, Silver Bow County, Montana.

### C. Facility Background Information

#### Montana Air Quality Permit History

On November 19, 2002, BCP was issued final Montana Air Quality Permit #3211-00. Under the initial permitting action BCP proposed the construction and operation of four nominal 23.9-megawatt (MW) simple cycle turbines to produce electrical power for the grid. The plant design scenario included two Pratt and Whitney FT8-1 twin packs with each twin pack consisting of two simple cycle turbines and a single electric generator capable of combusting natural gas or distillate fuel oil #2. The electric generation system was permitted to operate as a “peaking unit” or “load following unit.” Emissions of oxides of Nitrogen (NO<sub>x</sub>) from the turbines were required by permit to be controlled with a water injection system that was an integral part of the design of the Pratt and Whitney FT8-1 units. In addition, BCP proposed the installation of a catalyst to control at least 80% of the carbon monoxide (CO) emissions from each twin pack.

On March 5, 2003, BCP submitted a complete permit application for the modification of Montana Air Quality Permit #3211-00. Specifically, the current permit action would allow for the replacement of the four previously permitted Pratt and Whitney natural gas fired simple-cycle turbines (95.6 MW combined capacity) with three reciprocating internal combustion engines (RICE) (48.3 MW combined capacity).

BCP is required to comply with all applicable requirements of the Acid Rain Program (Title IV of the Federal Clean Air Act (FCAA)) as set forth in 40 CFR Parts 72-78. The acid rain provisions can be summarized into three major or primary programs: 1) sulfur dioxide (SO<sub>2</sub>) allowance system; 2) NO<sub>x</sub> emission standards; and 3) applicable emissions monitoring.

Under the first primary acid rain program listed above, BCP is required to obtain the necessary number of SO<sub>2</sub> allowances to operate the facility. Allowance trading is the centerpiece of EPA's Acid Rain Program and allowances are the currency, with which compliance with the SO<sub>2</sub> emissions requirements is achieved. Through the market-based allowance trading system, utilities regulated under the program, rather than a governing agency, decide the most cost-effective way to use available resources to comply with the acid rain requirements of the FCAA. Utilities can reduce emissions by employing energy conservation measures, increasing reliance on renewable energy, reducing usage, employing pollution control technologies, switching to lower sulfur fuel, or developing other alternate strategies. Units that reduce their emissions below the number of

allowances they hold may trade allowances with other units in their system, sell them to other utilities on the open market or through EPA auctions, or bank them to cover emissions in future years. Allowance trading provides incentives for energy conservation and technology innovation that can both lower the cost of compliance and yield pollution prevention benefits.

In addition, under the second primary acid rain program, BCP is not subject to the provisions of 40 CFR Part 76 because these provisions apply to coal-fired utility units only. BCP does not combust coal in the affected units, rather, the RICE are operated in a dual-fuel capability mode (natural gas and distillate fuel oil #2) with a combined RICE distillate fuel oil #2 combustion limit of 259,200 gallons during any rolling 12-month time period (approximately 1% of total fuel combustion) with the remainder of the fuel required to be pipeline quality natural gas (approximately 99% of total fuel combustion) to ensure compliance with the applicable permitted NO<sub>x</sub> emission limits.

Furthermore, regarding NO<sub>x</sub> emissions from the affected units, BCP accepted federal enforceable permit conditions limiting annual potential NO<sub>x</sub> emissions from the facility. Potential NO<sub>x</sub> emissions from each RICE are limited to 99 tons per year (tpy) in order for the affected units to be classified as low mass emitting units (LME) under the Acid Rain Program (40 CFR 75.19(a)(1)(i)(A)(1)). The method for achieving this limit is established as an operating limit of 3850 hours per RICE during any rolling 12-month time period in conjunction with the previously described fuel specific limits. Also, under the current permit action, BCP proposed conditional facility-wide potential NO<sub>x</sub> emission limits at levels below the NSR/PSD permitting threshold of 250 tpy per pollutant. The method for achieving this limit is established as a combined RICE operating limit of 9600 hours during any rolling 12-month time period in conjunction with the previously described fuel specific limits.

Under the third primary acid rain program discussed above, BCP would be required to install operate, and maintain a continuous emission monitoring system (CEMS) to track NO<sub>x</sub> and SO<sub>2</sub> emissions. CEMS provide continuous measurement of pollutants emitted into the atmosphere in exhaust gases from combustion or industrial processes. EPA established requirements for the continuous monitoring of SO<sub>2</sub>, volumetric flow, NO<sub>x</sub>, diluent gas, and opacity for units regulated under the Acid Rain Program. In addition, procedures for monitoring or estimating carbon dioxide (CO<sub>2</sub>) are specified in the Acid Rain Program. However, the provisions contained in 40 CFR Part 75.19(c) allow sources that qualify as LMEs to utilize applicable methodologies to calculate hourly SO<sub>2</sub> and NO<sub>x</sub> mass emissions in lieu of CEMS. As previously described, the RICE at the BCP facility qualify as LME, and BCP proposed an appropriate operational limit to ensure that the applicable SO<sub>2</sub> and NO<sub>x</sub> LME thresholds (25 tpy and 100 tpy, respectively) are not reached or exceeded.

Further, in accordance with the provisions of the Administrative Rules of Montana (ARM) Chapter 17.8, Subchapter 15, Compliance Assurance Monitoring (CAM), because the proposed RICE units incorporate a CO control device (oxidation catalyst (OxiCat) - see Section III.B of the Permit Analysis for a discussion of controls) and potential uncontrolled CO emissions from each RICE unit exceed 100 tpy, the RICE units are subject to CAM, as applicable. Also, because lean burn technology (NO<sub>x</sub> emission control) is integral to the design of the proposed RICE, the Department of Environment Quality (Department) does not consider lean burn control technology to be a control device as defined in ARM 17.8.1501(5). Therefore, in accordance with ARM 17.8.1503, even though potential uncontrolled NO<sub>x</sub> emissions from the RICE units exceed the CAM threshold of 100 tpy, NO<sub>x</sub> emissions from the proposed RICE units are not subject to CAM because the units do not incorporate a control device.

An emission inventory showing that potential emissions are lower than the Acid Rain Program LME threshold and the NSR/PSD permitting emission thresholds is contained in Section IV, Emission Inventory, of the Permit Analysis to Permit #3211-01. Permit #3211-01 was issued final on May 8, 2003, and replaced Permit #3211-00.

On February 24, 2004, BCP submitted a complete permit application for the modification of Montana Air Quality Permit #3211-01. Specifically, the permit action allowed BCP to replace the three previously permitted RICE (48.3 MW combined capacity) with nine RICE (54.9 MW combined capacity).

BCP requested federally enforceable permit conditions to limit the annual potential NO<sub>x</sub> emissions from the facility to a level less than the NSR/PSD permitting threshold of 250 tpy per pollutant. The permit limited the combined RICE operation to 34,600 hours during any rolling 12-month time period and restricted BCP to the use of pipeline quality natural gas only. Further, since potential NO<sub>x</sub> emissions from each RICE are less than 100 tpy, the units are classified as LME under the Acid Rain Program (Title IV of the FCAA), thereby eliminating the requirement(s) for compliance with various provisions of the Acid Rain Program.

ARM 17.8, Subchapter 15, CAM, requires that emitting units with a pollutant specific uncontrolled Potential To Emit (PTE) greater than 100 tpy, a pollutant specific emissions limit, and an associated pollutant specific control technology requirement, must comply with the CAM rules, as applicable. BCP is required to use an OxiCat for the control of both CO and VOC emissions. Since the uncontrolled VOC emissions from each RICE are less than 100 tpy, the CAM rules are not applicable to VOC emissions from the RICE. However, since uncontrolled CO emissions from each RICE exceed the applicable CAM threshold of 100 tpy, BCP is subject to CAM for CO emissions from the RICE. In accordance with ARM 17.8.1509(2), since controlled CO emissions are less than 100 tpy, BCP is not required to comply with the CAM rules until Title V operating permit renewal. Further, BCP is not subject to the CAM rules for PM<sub>10</sub>, NO<sub>x</sub>, and SO<sub>2</sub> emissions because the RICE units do not incorporate pollutant specific controls for these pollutants and the unit specific uncontrolled PTE of these pollutants is less than 100 tpy. Therefore, the Department determined that BCP is subject to CAM for CO emissions, as applicable. **Permit #3211-02** was issued final on May 6, 2004, and replaced Permit #3211-01.

#### **D. Taking and Damaging Analysis**

HB 311, the Montana Private Property Assessment Act, requires analysis of every proposed state agency administrative rule, policy, permit condition or permit denial, pertaining to an environmental matter, to determine whether the state action constitutes a taking or damaging of private real property that requires compensation under the Montana or U.S. Constitution. As part of issuing an Operating Permit, the Department is required to complete a Taking and Damaging Checklist. As required by 2-10-101 through 105, MCA, the Department has conducted a private property taking and damaging assessment and has determined there are no taking or damaging implications. The checklist was completed on April 2, 2003.

#### **E. Compliance Designation**

As of June 13, 2005, the BCP facility has not commenced operation; therefore, the Department has not conducted any on-site compliance evaluation.

## SECTION II. SUMMARY OF EMISSION UNITS

### A. Facility Process Description

The RICE operates similar to a dual fuel compressor engine, except that the RICE produces electricity rather than compressing gas. The engine shaft rotates an electric generator instead of a compressor. The RICE will be fired exclusively on natural gas fuel. The RICE will incorporate an OxiCat for the control of CO, VOC, and Hazardous Air Pollutant (HAP) emissions. No add-on control will be incorporated for NO<sub>x</sub> emissions, as the combustion of pipeline quality natural gas inherently results in low NO<sub>x</sub> emissions and the permitted RICE operating limit of 34,200 combined operating hours during any rolling 12-month time period will provide for reduced NO<sub>x</sub> emissions. Similarly, particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM<sub>10</sub>) emissions from the combustion of natural gas are inherently low; therefore, no add-on PM<sub>10</sub> controls are required for BCP RICE operations. Further, the RICE will not incorporate add-on controls for SO<sub>2</sub> as BCP is required by permit to combust only low-sulfur fuels (i.e. pipeline quality natural gas), which will result in very low SO<sub>2</sub> emissions. A Best Available Control Technology (BACT) analysis and determination was conducted for Montana Air Quality Permit #3211-02 and is contained in the Permit Analysis to that document.

In addition, because BCP accepted permit conditions limiting potential facility wide and RICE unit specific NO<sub>x</sub> emissions, the facility is classified as a LME facility, as defined under the federal Title IV Acid Rain Program and a minor source as defined under the NSR/PSD permitting program.

### B. Emission Units and Pollution Control Device Identification

The emission units regulated by this permit are the following (ARM 17.8.1211):

Emissions Unit ID	Description	Pollution Control Device/Practice
EU001	Caterpillar Lean-Burn Natural Gas-fired RICE (9 RICE @ 6.1 MW/RICE)	<ul style="list-style-type: none"> <li>● CO, VOC, HAPs: Oxidation Catalyst</li> <li>● PM/PM<sub>10</sub>, NO<sub>x</sub>: Lean-Burn Technology Firing Pipeline Quality Natural Gas Only, Operational Limits</li> </ul>
EU002	Fugitive Emissions: Haul Roads/Vehicle Traffic	<ul style="list-style-type: none"> <li>● Reasonable Precautions</li> <li>● Water and/or Chemical Dust Suppressant as Necessary</li> </ul>

### C. Categorically Insignificant Sources/Activities

The following table of insignificant sources and/or activities were provided by BCP. Because there are no requirements to update such a list, the emission units and/or activities may change from those specified in the table.

Emissions Unit ID	Emissions Unit Description
IEU01	9 – Natural Gas-Fired Furnace Heaters @ 2.0 MMBtu/hr/heater
IEU02	9 – Natural Gas-Fired Combustion Air Pre-Heaters @ 2.5 MMBtu/hr/Unit

## SECTION III. PERMIT CONDITIONS

### A. Emission Limits and Standards

All emission limits and standards in Title V Operating Permit #OP3211-00 are derived from Montana Air Quality Permit #3211-02. BCP requested permit conditions limiting potential facility wide and RICE specific NO<sub>x</sub> emissions to a level qualifying BCP as a LME facility, in accordance with the applicable provisions of the federal Acid Rain Program. Further, BCP's permitted allowable emissions are less than the applicable major source NSR permitting thresholds; therefore, BCP is a minor source as defined under the NSR permitting program. The Department is unaware of any other outstanding documents containing additional BCP requirements pertaining to air quality.

- The Department determined that the emission limits that apply to EU001 – the Caterpillar RICE (9 RICE @ 6.1 MW/RICE) are as follows:
  1. The opacity limit was established in accordance with the provisions of ARM 17.8.304. The applicable opacity limit is less than or equal to 20% opacity.
  2. BCP RICE operations are not subject to a specific PM<sub>10</sub> emission limit since BCP is required to combust only pipeline quality natural gas, which results in relatively low particulate emissions. This determination is consistent with BACT analyses and determinations made for other recently permitted similar sources of PM<sub>10</sub>.
  3. The NO<sub>x</sub> limit was established through a BACT analysis and determination process conducted in accordance with the provisions of ARM 17.8.752. The applicable NO<sub>x</sub> limit is 14.40 lb/hr calculated on a 1-hour averaging period.
  4. The CO limit was established through a BACT analysis and determination process conducted in accordance with the provisions of ARM 17.8.752. The applicable CO limit is 5.10 lb/hr calculated on a 1-hour averaging period.
  5. The VOC limit was established through a BACT analysis and determination process conducted in accordance with the provisions of ARM 17.8.752. The applicable VOC limit is 2.60 lb/hr calculated on a 1-hour averaging period.
  6. BCP RICE operations are not subject to a specific SO<sub>2</sub> emission limit since BCP is required to combust only pipeline quality natural gas, which is relatively low in sulfur content. This determination is consistent with BACT analyses and determinations made for other recently permitted similar sources of SO<sub>2</sub>.

### B. Monitoring Requirements

ARM 17.8.1212(1) requires that all monitoring and analysis procedures or test methods required under applicable requirements be contained in operating permits. In addition, when the applicable requirement does not require periodic testing or monitoring, periodic monitoring must be prescribed that is sufficient to yield reliable data from the relevant time period that is representative of the source's compliance with the permit.

The requirements for testing, monitoring, recordkeeping, reporting, and compliance certification sufficient to assure compliance does not require the permit to impose the same level of rigor for all emission units. Furthermore, it does not require extensive testing or monitoring to assure compliance with the applicable requirements for emission units that do not have significant potential to violate emission limitations or other requirements under normal operating conditions. When compliance

with the underlying applicable requirement for an insignificant emissions unit is not threatened by lack of regular monitoring and when periodic testing or monitoring is not otherwise required by the applicable requirement, the status quo (**i.e., no monitoring**) will meet the requirements of ARM 17.8.1212(1). Therefore, the permit does not include monitoring for insignificant emission units.

The permit includes periodic monitoring or recordkeeping for each applicable requirement. The information obtained from the monitoring and recordkeeping will be used by the permittee to periodically certify compliance with the emission limits and standards. However, the Department may request additional testing to determine compliance with the emission limits and standards.

**C. Test Methods and Procedures**

This operating permit along with Montana Air Quality Permit #3211-02 requires BCP to test each RICE for NO<sub>x</sub> and CO, concurrently, within 180 days of initial start-up to demonstrate compliance with the emission limitations in the permits. After the initial source test, additional testing shall be conducted on an every 2-year basis or according to another Department approved testing schedule. Compliance with the opacity limitations in this permit may be demonstrated by burning pipeline quality natural gas only.

The Operating Permit may not require testing for all sources if routine monitoring is used to determine compliance, but the Department has the authority to require testing if deemed necessary to determine compliance with an emission limit or standard. In addition, the permittee may elect to voluntarily conduct compliance testing to confirm its compliance status.

**D. Recordkeeping Requirements**

The permittee is required to keep all records listed in the Operating Permit as a permanent business record for at least five years following the date of the generation of the record.

**E. Reporting Requirements**

Reporting requirements are included in the permit for each emissions unit and Section V of the Operating Permit "General Conditions" explains the reporting requirements. However, the permittee is required to submit semi-annual and annual monitoring reports to the Department and to annually certify compliance with the applicable requirements contained in the permit. The reports must include a list of all emission limit and monitoring deviations, the reason for any deviation, and the corrective action taken as a result of any deviation.

**F. Public Notice**

In accordance with ARM 17.8.1232, a public notice was published in *The Montana Standard* newspaper on or before April 25, 2005. The Department provided a 30-day public comment period on the draft Operating Permit from April 25, 2005, through May 25, 2005. ARM 17.8.1232 requires the Department to keep a record of both comments and issues raised during the public participation process. The Department did not receive comments from any interested party during the public comment period.

**Summary of Public Comments**

Person/Group Commenting	Comment	Department Response
None	NA	NA

**G. Draft Permit Comments**

**Summary of Permittee Comments**

Permit Reference	Permittee Comment	Department Response
None	NA	NA

**Summary of EPA Comments**

Permit Reference	EPA Comment	Department Response
None	NA	NA

## SECTION IV. NON-APPLICABLE REQUIREMENT ANALYSIS

Section IV of the Operating Permit “Non-applicable Requirements” contains the requirements that the Department determined were non-applicable. The following table summarizes the requirements that BCP identified as non-applicable and contains the reasons that the Department did not include these requirements as non-applicable in the permit.

### Requirements not Identified in the Operating Permit

Applicable Requirement	Reason for Not Including
<b>Code of Federal Regulations</b>	
40 CFR 50 National Primary and Secondary Ambient Air Quality Standards 40 CFR 51 Requirements for Preparation, Adoption, and Submittal of Implementation Plans 40 CFR 58 Ambient Air Quality Surveillance 40 CFR 71 Federal Operating Permit Programs	Although these rules contain requirements for the regulatory authorities and not major sources, these rules can be used as authority to impose specific requirements on a major source.
40 CFR 52 Approval and Promulgation of Implementation Plans 40 CFR 62 Approval and Promulgation of State Plans for Designated Facilities and Pollutants	These rules do not have specific requirements, but are always relevant to major sources
40 CFR 70 State Operating Permit Programs	These rules do not have specific requirements but may or may not be relevant to a major source.
40 CFR 63 National Emission Standards for Source Categories Subparts A & B 40 CFR 61 National Emission Standards for Asbestos Subpart M	These are procedural rules that have specific requirements that may become relevant to a major source.
<b>Administrative Rules of Montana</b>	
ARM 17.8.120 Variance Procedures <i>et. seq.</i> ARM 17.8.514 Air Quality Open Burning Fees ARM 17.8.515 Air Quality Open Burning Fees for Conditional, Emergency, Christmas Tree Waste, and Commercial Film Production Open Burning Permits ARM 17.8.611 Emergency Open Burning Permits ARM 17.8.612 Conditional Air Quality Open Burning Permits	These are procedural rules that have specific requirements that may become relevant to a major source during the permit term.
ARM 17.8.326 Prohibited Materials for Wood or Coal Residential Stoves	These are rules that are always applicable to major sources and may contain specific requirements for compliance.
ARM 17.8.204 Ambient Air Monitoring ARM 17.8.755-756 Permit, Construction, and Operation of Air Contaminant Sources - Inspection of Permit and Compliance with Other Statutes and Rules ARM 17.8.326 Emission Standards -Prohibited Materials for Wood or Coal Residential Stoves	These are rules that are always applicable to major sources and may contain specific requirements for compliance.
ARM 17.8.330 Emission Standards for Existing Aluminum Plants – Definitions ARM 17.8.740 <i>et seq.</i> Permit, Construction, and Operation of Air Contaminant Sources – Definitions and Incorporations by Reference	These are rules that consist of either a statement of purpose, applicability statement, regulatory definitions or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.

Applicable Requirement	Reason for Not Including
<p>ARM 17.8.901 Permit Requirements for Major Stationary Sources or Modifications Located within Nonattainment Areas -- Definitions</p> <p>ARM 17.8.1001 Preconstruction Permit Requirements or Major Stationary Sources or Major Modifications Located within Attainment or Unclassified Areas – Definitions</p> <p>ARM 17.8.1103 et seq. Applicability – Visibility Requirements</p>	<p>These are rules that consist of either a statement of purpose, applicability statement, regulatory definitions or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.</p>

## SECTION V. FUTURE PERMIT CONSIDERATIONS

### A. MACT Standards

As of August 4, 2005, the Department is unaware of any future MACT Standards that may be promulgated that will affect this facility.

### B. NESHAP Standards

As of August 4, 2005, the Department is unaware of any future NESHAP Standards that may be promulgated that will affect this facility.

### C. NSPS Standards

As of August 4, 2005, the Department is unaware of any future NSPS Standards that may be promulgated that will affect this facility.

### D. CAM Requirements

ARM 17.8, Subchapter 15, CAM, requires that emitting units with a pollutant specific uncontrolled PTE greater than 100 tpy, a pollutant specific emissions limit, and an associated pollutant specific control technology requirement, must comply with the CAM rules, as applicable. BCP is required to use an OxiCat for the control of both CO and VOC emissions. Since uncontrolled VOC emissions from each RICE are less than 100 tpy, the CAM rules are not applicable to VOC emissions from the RICE. In contrast, uncontrolled CO emissions from each RICE do exceed the applicable CAM threshold of 100 tpy; therefore, BCP is subject to CAM for CO emissions from the RICE. CAM applicable units with a controlled PTE less than 100 tpy of the subject pollutant, do not require a CAM plan until the initial 5-year operating permit term has expired (ARM 17.8.1509 (2)). Since each of the RICE units have a controlled PTE less than 100 tpy of CO, a CAM plan is not required for the initial Title V Operating Permit. However, at the time of Title V Operating Permit renewal, BCP will be subject to CAM requirements for CO emissions from the RICE. In the interim, prior to Title V renewal and the institution of CAM requirements, the Department suggests that BCP establish the appropriate monitoring information in accordance with ARM 17.8.1504 through ARM 17.8.1508, and 40 CFR 64.

Further, BCP is not subject to the CAM rules for PM<sub>10</sub>, NO<sub>x</sub>, and SO<sub>2</sub> emissions because the RICE units do not incorporate pollutant specific controls for these pollutants and the unit specific uncontrolled PTE of these pollutants is less than 100 tpy.

### E. Risk Management Plan

As of the August 4, 2005, this facility does not exceed the minimum threshold quantities for any regulated substance listed in 40 CFR 68.115 for any facility process. Consequently, this facility is not required to submit a Risk Management Plan.

If a facility has more than a threshold quantity of a regulated substance in a process, the facility must comply with 40 CFR 68 requirements no later than June 21, 1999; three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or the date on which a regulated substance is first present in more than a threshold quantity in a process, whichever is later.