

DEPARTMENT OF  
HEALTH AND ENVIRONMENTAL SCIENCES

AIR QUALITY BUREAU

STAN STEPHENS, GOVERNOR

COGSWELL BUILDING



STATE OF MONTANA

FAX # (406) 444-2606

HELENA, MONTANA 59620

(406) 444-3454

FAX # (406) 444-1374

April 25, 1991

RTE.	A.I.	ACC.
EPA	cc	4/25
EDC	cc	4/25
HK		4/29/91
CH		4-30
CO	FILE	4/29
TECH	ADM	ENF

Mark Rieker  
H.L. Ostermiller Construction, Inc.  
302 Quite Water  
Billings, MT 59105

Dear Mr. Rieker:

The Department of Health and Environmental Sciences has made its final decision on the air quality permit application for a 1952 Cedar Rapids Master Tandem crusher. The application was given permit number 2690. This permit shall become final on May 10, 1991 unless the department's final decision is appealed to the Board of Health and Environmental Sciences.

Conditions: See attached.

For the department,

Jeffrey T. Chaffee, P.E.  
Chief, Air Quality Bureau

JTC:ckp

Enclosure

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PRELIMINARY DETERMINATION  
ON PERMIT APPLICATION

Date of Mailing: April 10, 1991

Name of Applicant: H.L. Ostermiller Construction, Inc.

Source: 1952 Cedar Rapids Master Tandem Crusher

Proposed Action: The department proposes to issue a permit, with conditions, to the above-named applicant. The application was assigned permit application number 2690.

Proposed Conditions: See attached.

Public Comment: Any member of the public desiring to comment must submit such comments in writing to the bureau at the above address. Comments may address the bureau analysis and determination, and information submitted by the application. In order to be considered, the comments must be received within fifteen (15) days of this notice, which is April 25, 1991. Copies of the application and the bureau's analysis may be inspected at the bureau office in Helena. For more information you may contact the bureau at 444-3454.

Final Action: The department intends to make a final decision on the application by April 25, 1991. A copy of the final decision may be obtained at the above address. The permit shall become final May 10, 1991 unless the department's decision is appealed to the Board of Health and Environmental Sciences.

Procedures for Appeal: Any person jointly or severally adversely affected by the final action may request a hearing before the Montana Board of Health and Environmental Sciences. Any appeal must be filed within fifteen (15) days after the department renders its final decision. The request for hearing shall contain an affidavit setting forth the grounds for the request. Any hearing will be held under the provisions of the Montana Administrative Procedures Act. Submit requests for hearing in triplicate to: Chairman, Board of Health and Environmental Sciences, Cogswell Building, Helena, Montana 59620.

For the department,

Jeffrey T. Chaffee, P.E., Chief  
Air Quality Bureau

JTC/ckp  
Enclosure

## PERMIT CONDITIONS

H.L. Ostermiller Construction, Inc.  
Permit Number 2690

1. If this crushing plant is moved to another location, a Notice of Intent to Transfer Location of Air Quality Permit must be published in a newspaper of general circulation in the area to which the transfer is to be made. This notice must be published at least 15 days prior to the move. Proof of publication and a change of location form must be submitted to the Montana Department of Health and Environmental Sciences, Air Quality Bureau (AQB), prior to the move. These forms are available from the AQB.
2. The AQB 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.
3. All visible emissions from the crusher are limited to 20% opacity. All visible emissions from other equipment such as screens or transfer points are limited to 20% opacity.
4. Dust suppressant is required on all haul roads and work areas as necessary (if fugitive emissions are greater than 20% opacity).
5. Water spray bars are required as necessary, if fugitive emissions are greater than 20% opacity, or if the crusher production exceeds 200 tons/hour.
6. Crusher emissions are limited to 58.5 lbs/hour.
7. Crusher production is limited to 200 tons/hour.
8. Crusher operation is limited to 8760 hrs/year (computed on a 12-month running year).
9. The operator shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. These records shall be available for inspection by the AQB and will be submitted to the AQB upon request.
10. Recipient shall comply with all general conditions noted on attached page.

## GENERAL CONDITIONS

A. Inspection - The recipient shall allow the department's representatives access to the source at all reasonable times for the purpose of making inspections, 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 the recipient fails to appeal as indicated below.

C. Compliance with Statutes and Regulations - Specific listing of requirements, limitations, and conditions contained herein does not relieve the applicant from compliance with all applicable statutes and administrative regulations including amendments thereto, nor waive the right of the department to require compliance with all applicable statutes and administrative regulations, including amendments thereto.

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 who are jointly or severally adversely affected by the department's decision may request, within fifteen (15) days after the department renders its decision, upon affidavit, setting forth the grounds therefor, a hearing before the Board. A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The department's decision on the application is not final unless fifteen (15) days have elapsed and there is no request for a hearing under this section. The filing of a request for a hearing postpones the effective date of the department's decision until the conclusion of the hearing and issuance of a final decision by the Board.

F. Application Data - Information submitted on behalf of an air quality permit application is hereby incorporated as a condition of that permit including commencement and completion dates of construction.

G. Permit Inspection - As required by ARM 16.8.1115 Inspection of Permit, a copy of the air quality permit shall be made available for inspection by air quality personnel at the location of the permitted source.

H. Construction Commencement - Construction must begin within one year of permit issuance or the permit will be considered withdrawn.

## PERMIT ANALYSIS

H.L. Ostermiller Construction, Inc.  
Permit Number 2690

- A. Permitted Equipment: 1952 Cedar Rapids Master Tandem Crusher, #13013
- B. Estimated Emissions (per AP-42 8.19.2):  
 $0.28 \text{ lb/ton} \times 200 \text{ tons/hr} = 56.0 \text{ lbs/hr.}$   
 $56.0 \text{ lbs/hr} \times 50\% \text{ control} = 28.0 \text{ lbs/hr.}$  (Assume 50% control from water spray bars.)  
 $56.0 \text{ lb/hr} \times 8760 \text{ hr/yr}/2000 \times 50\% \text{ control} = 122.6 \text{ ton/yr}$

- C. Applicable Rules:

### 16.8 Subchapter 9 Prevention of Significant Deterioration (PSD)

#### 16.8.921 Definitions

Potential emissions are <250 tons/yr, mineral crushers are not a listed source: PSD does not apply.

### 16.8 Subchapter 11 Permit, Construction and Operation of Air Contaminant Sources

#### 16.8.1102 When Permit Required

Permits are required for mineral crushers that have the potential to emit greater than 5 tons/year of any pollutant. A permit is therefore required.

#### 16.8.1103 Emission Controls

Best Available Control Technology (BACT) is required. The AQB has determined that the conditions imposed on this plant constitute BACT in this case.

#### 16.8.1105 New or Altered Sources and Stacks, Permit Application Requirements

Proof of compliance with the public notice requirement was submitted.

#### 16.8.1115 Inspection of Permit

A copy of this permit must be maintained on-site and be made available for inspection by AQB personnel on request.

16.8.1117 Compliance with Other Statutes and Rules

The holder of this permit must comply with all other applicable state, federal and local laws and regulations.

16.8.1118 Waivers

ARM 16.8.1105 requires that the permit application be submitted 180 days before construction or operation begins. This section allows the AQB to waive this time limit. The AQB hereby waives the time limit in this case.

16.8 Subchapter 14 Emission Standards

16.8.1401 Particulate Matter - Airborne

An opacity limitation of 20% is required for fugitive sources. Dust suppressant is therefore required as necessary on all haul roads and work areas.

16.8.1403 Particulate Matter Industrial Process

Allowable Emissions =  $55 (200 \text{ tons/hr})^{.11} - 40 = 58.5 \text{ lbs/hr.}$

Source is in compliance.

16.8.1404 Visible Air Contaminants

All visible stack emissions limited to 20% opacity.

16.8.1423 Standards of Performance for New Stationary Sources (NSPS)

This plant was constructed in 1952 so NSPS (40 CFR Part 60, general provisions, and Subpart 000 Non-Metallic Mineral Processing Plants) does not apply.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES  
Air Quality Bureau  
Cogswell Building, Helena, Montana 59620  
(406) 444-3454

ENVIRONMENTAL ASSESSMENT (EA)

Project or Application: H.L. Ostermiller Construction, Inc., permit #2690

Description of Project: Portable gravel crushing plant.

Benefits and Purpose of Proposal: This plant crushes gravel for use in construction, repair, and maintenance of roads and highways.

Description and analysis of reasonable alternatives whenever alternatives are reasonably available and prudent to consider: No reasonable alternatives are available.

A listing and appropriate evaluation of mitigation, stipulations and other controls enforceable by the agency or another government agency: A list of enforceable permit conditions are contained in permit #2690.

Recommendation: An EIS is not required.

If an EIS is needed, and if appropriate, explain the reasons for preparing the EA:

If an EIS is not required, explain why the EA is an appropriate level of analysis: The source is temporary and any impacts will be minimal.

Other groups or agencies contacted or which may have overlapping jurisdiction: None.

Individuals or groups contributing to this EA: None.

EA prepared by: Catherine Quiñones

Date: April 3, 1991

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ATTACHED
1. TERRESTRIAL AND ACQUATIC LIFE AND HABITATS			X			
2. WATER QUALITY, QUANTITY AND DISTRIBUTION			X			
3. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE			X			
4. VEGETATION COVER, QUANTITY AND QUALITY			X			
5. AESTHETICS			X			
6. AIR QUALITY			X			
7. UNIQUE ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCE					X	
8. DEMANDS ON ENVIRONMENTAL RESOURCE OF WATER, AIR AND ENERGY			X			
9. HISTORICAL AND ARCHAEOLOGICAL SITES					X	
10. CUMULATIVE AND SECONDARY IMPACTS			X			

POTENTIAL IMPACTS ON HUMAN ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ATTACHED
1. SOCIAL STRUCTURES AND MORE				X		
2. CULTURAL UNIQUENESS AND DIVERSITY				X		
3. LOCAL AND STATE TAX BASE AND TAX REVENUE			X			
4. AGRICULTURAL OR INDUSTRIAL PRODUCTION			X			
5. HUMAN HEALTH			X			
6. ACCESS TO AND QUALITY OR RECREATIONAL & WILDERNESS ACTIVITIES			X			
7. QUANTITY AND DISTRIBUTION OF EMPLOYMENT			X			
8. DISTRIBUTION OF POPULATION			X			
9. DEMANDS FOR GOVERNMENTAL SERVICES			X			
10. INDUSTRIAL AND COMMERCIAL ACTIVITY			X			
11. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS			X			
12. CUMULATIVE AND SECONDARY IMPACTS			X			