



Montana Department of
ENVIRONMENTAL QUALITY

Judy Martz, Governor

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December 31, 2001

Archie John Knerr
Thompson River Redi-Mix
P.O. Box 1143
Thompson Falls, MT 59873

Dear Mr. Knerr:

Air Quality Permit #2795-04 is deemed final as of December 29, 2001, by the Department of Environmental Quality (Department). This permit is for the operation of a portable ready mix concrete batch plant. All conditions of the Department's decision remain the same. Enclosed is a copy of your permit with the final date indicated.

For the Department,

David L. Klemp
Air Permitting Supervisor
Air & Waste Management Bureau
(406) 444-3490

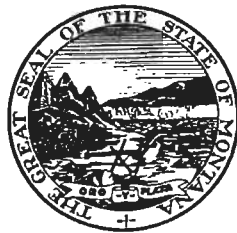
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Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Air Quality Permit #2795-04

Thompson River Redi-Mix
P.O. Box 1143
Thompson Falls, MT 59873

December 29, 2001



AIR QUALITY PERMIT

Issued To: Thompson River Redi-Mix
P.O. Box 1143
Thompson Falls, MT 59873

Permit #2795-04
Modification Request Received: 11/15/01
Department Decision on Modification: 12/13/01
Permit Final: 12/29/01
AFS #: 777-2795

An air quality permit, with conditions, is hereby granted to Thompson River Redi-Mix (Thompson River), pursuant to Section 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.701, *et seq.*, as amended, for the following:

Section I: Permitted Facilities

- A. Plant Location: The Thompson River facility would initially locate in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, Township 21 North, Range 29 West, in Sanders County, Montana. However, Permit #2795-04 will also apply while operating in any location in the state of Montana, except within those areas having a Department of Environmental Quality (Department) approved permitting program. *A Missoula County air quality permit is required for locations within Missoula County, Montana.*
- B. Current Permit Action: On November 15, 2001, Clark Fork Concrete and Rock, Inc. (Clark Fork Concrete) requested that Permit #2795-04 be transferred to Thompson River. The permit was also updated to reflect the current permit language and rule references used by the Department.

Section II: Limitations and Conditions

- A. Emission Control Requirements and Limitations
 1. Thompson River shall install, operate, and maintain the fabric filter vents and all other emission control equipment specified in their application for their Montana Air Quality Permit and all supporting documentation (ARM 17.8.710):
 - a. Thompson River shall install, operate and maintain the fabric filter on the cement silo and weigh hopper; and
 - b. Thompson River shall maintain the particulate containment boot at their concrete plant as specified in their application for their Montana Air Quality Permit and all supporting documentation.
 2. Thompson River shall not cause or authorize to be discharged into the atmosphere from the ready mix plant:
 - a. Any vent emissions which exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304 and 17.8.715).
 - b. Any fugitive emissions from any truck loading or unloading which exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.308 and 17.8.715).
 - c. Any fugitive emissions from any transferring operations which exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304 and 17.8.715).

3. Thompson River 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).
4. Thompson River shall treat all unpaved portions of the haul roads, access roads, parking lots, and the general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation in Section II.A.3 (ARM 17.8.715).
5. If the permitted equipment is used in conjunction with any other equipment owned or operated by Thompson River, at the same site, production shall be limited to correspond with an emissions level that does not exceed 250 tons during any rolling 12-month time period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.710).
6. Thompson River shall inspect the fabric filter vents on the cement silo and weigh hopper every 6 months of operation to ensure each such collector is operating at optimum efficiency as recommended by the manufacturer. Records of inspections, repairs, and maintenance shall be kept for at least 5 years (ARM 17.8.710).

B. Testing Requirements

1. All compliance source tests shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
2. The Department may require testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this concrete batch plant is moved to another location, an Intent to Transfer form must be sent to the Department. In addition, a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The Intent to Transfer form and the proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.734).
2. Thompson River shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. All records compiled in accordance with this permit shall be maintained by Thompson River as a permanent business record for at least 5 years following the date of the measurement, shall be submitted to the Department upon request, and shall be available at the plant site for inspection by the Department (ARM 17.8.710).
3. Thompson River 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 identified in the most recent emission inventory report and sources identified in Section I.A of the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in units as required by the Department (ARM 17.8.505).

4. Thompson River shall notify the Department of any construction or improvement project conducted pursuant to ARM 17.8.705(1)(r) 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 emissions unit. The notice must be submitted to the Department in writing, 10 days prior to start up or use of the proposed deminimis change, or as soon as reasonably practicable in the event of an anticipated circumstance causing the deminimis change, and must include the information requested in ARM 17.8.705(1)(r)(iv) (ARM 17.8.705).

Section III: 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 - Nothing in this permit shall be construed as relieving the permittee of the responsibility for complying with any applicable federal or Montana statute, rule or standard, except as specifically provided in ARM 17.8.701, *et seq.* (ARM 17.8.717).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401, *et seq.*, MCA.
- E. Appeals - Any person or persons jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The Department's decision on the application is not final unless 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. Permit Inspection - As required by ARM 17.8.716, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.
- G. Construction Commencement - Construction must begin within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked.
- H. Permit Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, the continuing validity of this permit is conditional upon the payment by the permittee of an annual operation fee, as required by that Section and rules adopted thereunder by the Board.
- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Thompson River shall comply with conditions contained in this permit while operating in any location in the state of Montana, except within those areas having a Department approved permitting program.

Permit Analysis
Thompson River Redi-Mix
Permit #2795-04

I. Introduction

A. Permitted Equipment

Thompson River Redi-Mix (Thompson River) operates a portable ready mix concrete batch plant located at the NW ¼ of the NE ¼ of Township 21 North, Range 29 West in Sanders County, Montana and other locations throughout Montana. The facility includes a 1963 Ross Uni Ready Mix Concrete Batch Plant (Maximum Capacity 80 cubic yards/hour) and associated equipment. Particulate emissions are controlled by a 1990 Besser APPCO DCS 250 fabric filter vent on the cement silo and a 1993 Mark I fabric filter vent on the weigh hopper.

B. Process Description

Aggregates are loaded onto a conveyor, by a front end loader, and conveyed to a series of bins. Cementitious material, that is stored in a silo, is pneumatically transferred to a weigh hopper and ribbon fed into a truck-mounted mixer. Simultaneously, the aggregates and water are metered into the truck-mounted mixer in a similar manner. Then, materials are mixed and are ready to be transported as cement to the construction site.

C. Permit History

On August 2, 1993, Permit #2795-00 was issued to Clark Fork Concrete to operate a 1963 Ross Uni Plant 100 Ready Mix Plant and associated equipment near Thompson Falls, Montana.

On February 21, 1996, Clark Fork Concrete requested that Permit #2795-00 be modified to reflect a change in their business name. Permit #2795-01 reflected the fact that Clark Fork Concrete assumed the name Paradise Rock, Inc. Permit #2795-01 replaced Permit #2795-00.

On May 6, 1996, Paradise Rock, Inc. requested that Permit #2795-01 be modified to reflect a change in their business name. Permit #2795-02 reflected the fact that Paradise Rock, Inc. reassumed the name Clark Fork Concrete. Permit #2795-02 replaced Permit #2795-01.

On November 16, 1999, Clark Fork Concrete requested that Permit #2795-02 be modified to reflect a change in their business name. Permit #2795-03, reflected the fact that Clark Fork Concrete assumed the name Clark Fork Concrete and Rock, Inc. Permit #2795-03 replaced Permit #2795-02.

D. Current Permit Action

On November 15, 2001, Clark Fork Concrete and Rock, Inc. (Clark Fork Concrete) requested that Permit #2795-04 be transferred to Thompson River. The permit was also updated to reflect the current permit language and rule references used by the Department of Environmental Quality (Department). Permit #2795-04 will replace Permit #2795-03.

E. Additional Information

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

II. Applicable Rules and Regulations

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

A. ARM 17.8, Sub-Chapter 1, General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule is a list of applicable definitions used in this sub-chapter, unless indicated otherwise in a specific sub-chapter.
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 Montana Clean Air Act, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

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

4. ARM 17.8.110 Malfunctions. The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation, or to continue for a period greater than 4 hours.
5. ARM 17.8.111 Circumvention. No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. No equipment that may produce emissions shall be operated or maintained in such a manner that a public nuisance is created.

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

1. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter.
2. ARM 17.8.223 Ambient Air Quality Standard for PM-10.

Thompson River must comply with the applicable ambient air quality standards.

C. ARM 17.8, Sub-Chapter 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 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter. (2) Under this rule, Thompson River shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
 3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.
 4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.
 5. ARM 17.8.322 Sulfur Oxide Emissions-Sulfur in Fuel. Commencing July 1, 1971, no person shall burn any gaseous fuel containing sulfur compounds in excess of 50 grains per 100 cubic feet of gaseous fuel, calculated as hydrogen sulfide at standard conditions.
 6. ARM 17.8.340 Standards of Performance for New Stationary Sources. The owner or operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, shall comply with the standards and provisions of 40 CFR Part 60. This plant consists of a 1963 Ross Uni Plant 100 Ready Mix Plant, and associated equipment; therefore, NSPS (40 CFR Part 60, General Provisions and Subpart F, Portland Cement Plants) does not apply.
- D. ARM 17.8, Sub-Chapter 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 section 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. Thompson River was not required to submit a permit application for the current permit action.
 2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department. This operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.
- An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, as 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 which prorate the required fee amount.
- E. ARM 17.8, Sub-Chapter 7, Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:
1. ARM 17.8.704 General Procedures for Air Quality Preconstruction Permitting. An air quality preconstruction permit shall contain requirements and conditions applicable to both construction and subsequent use of the permitted equipment.

2. ARM 17.8.705 When Permit Required-Exclusions. This rule requires a facility to obtain an air quality permit or permit alteration if they construct, alter, or use an air contaminant source which has the potential to emit more than 5 tons per year of any pollutant. Thompson River has the potential to emit more than 5 tons per year of particulate matter and PM-10; therefore, a permit is required.
3. ARM 17.8.706 New or Altered Sources and Stacks -- Permit Application Requirements. This rule requires that an application for an air quality permit be submitted for a new or altered source or stack. Thompson River was not required to submit a permit application for the current permitting action.
4. ARM 17.8.707 Waivers. ARM 17.8.706 requires the permit application be submitted 180 days before construction begins. This rule allows the Department to waive this time limit. The Department hereby waives this limit.
5. ARM 17.8.710 Conditions for Issuance of Permit. This rule requires that the source demonstrate compliance with applicable rules and standards before a permit can be issued. Also, a permit may be issued with such conditions as are necessary to assure compliance with all applicable rules and standards. Thompson River has demonstrated compliance with applicable rules and standards as required for permit issuance.
6. ARM 17.8.715 Emission Control Requirements. Thompson River is required to 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. A BACT review is not required for permit action, because it is to be considered an administrative action.
7. ARM 17.8.716 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.
8. ARM 17.8.717 Compliance with Other Statutes and Rules. This rule states that nothing in this permit shall be construed as relieving Thompson River of the responsibility for complying with any applicable federal or Montana statute, rule or standard, except as specifically provided in ARM 17.8.701, *et seq.*
9. ARM 17.8.731 Duration of Permit. An air quality permit shall be valid until revoked or modified as provided in this sub-chapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
10. ARM 17.8.733 Modification of Permit. An air quality permit may be modified for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack which do not result in an increase in emissions because of the changed conditions of operation. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.
11. ARM 17.8.734 Transfer of Permit. (1) An air quality permit may be transferred from one location to another if written notice of Intent to Transfer is sent to the Department. (2) An air quality permit may be transferred from one person to another if a written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Sub-Chapter 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 sub-chapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modification--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 Federal Clean Air Act (FCAA) that it would emit, except as this sub-chapter would otherwise allow.

This facility is not a major stationary source because it is not listed and does not have the potential to emit more than 250 tons per year (excluding fugitive emissions) of any air pollutant.

G. ARM 17.8, Sub-Chapter 12, Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
 - a. Potential to Emit (PTE) > 100 tons/year of any pollutant.
 - b. PTE > 10 tons/year of any one Hazardous Air Pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or a lesser quantity as the Department may establish by rule.
 - c. Sources with the PTE > 70 tons/year of PM-10 in a serious PM-10 non-attainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. 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 #2795-04 for Thompson River, the following conclusions were made:
 - a. The facility's PTE is less than 100 tons/year for all criteria pollutants.
 - b. The facility's PTE is less than 10 tons/year of any one HAP and less than 25 tons/year of all HAPs.
 - c. This source is not located in a serious PM-10 non-attainment area.
 - d. This facility is not subject to any current NSPS.
 - e. This facility is not subject to any current NESHAP standards.
 - f. This source is not a Title IV affected source nor a solid waste combustion unit.
 - g. This source is not an EPA designated Title V source.

Thompson River is not subject to the Title V Operating Permit requirements because their potential emissions are less than the Title V threshold.

III. Emissions Inventory

	TSP	PM-10	Tons/Year			
			NO _x	VOC	CO	SO ₂
Cement Handling Emissions	1.09	0.54				
Weigh Hopper Loading of Cement/Sand/Aggregate	0.70	0.35				
Truck Mixer Loading of Cement/Sand/Aggregate	1.40	0.70				
Transfer: Sand/Aggregate to Elevated Bins	14.02	7.01				
Haul Roads	2.74	1.23				
Total	19.95	9.83	0.00	0.00	0.00	0.00

IV. Air Quality Impacts

Permit #2795-04 is issued for a portable ready mix plant to initially locate at the NW ¼ of the NE ¼ of Section 15, Township 21 North, Range 29 West, in Sanders County, Montana. Permit #2795-04 will cover the operations while operating at any location within the state of Montana, excluding those counties that have a Department-approved permitting program. In the view of the Department, the amount of controlled emissions generated by this project will not result in any exceedance of any set ambient standard. In addition, this source is portable and any air quality impacts will be minimal.

V. Taking or Damaging Implication Analysis

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

VI. Environmental Assessment

An environmental assessment was not required for this permit action because it is considered to be an administrative action.

Permit Analysis Prepared by: Ron Lowney

Date: December 12, 2001