Montana Department of
ENVIRONMENTAL QUALITY
Brian Schweitzer, Governor
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April 25, 2012

Mr. Steve Ward
Ward Crushing, LLC
362 Vanderwood Road
Libby, MT 59923

Dear Mr. Ward

Montana Air Quality Permit #3241-01 is deemed final as of April 25, 2012 by the Department of Environmental Quality (Department). This permit is for a portable crushing and screening plant and associated equipment. 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,

Vickie Walsh
Air Permitting Program Supervisor
Air Resources Management Bureau
(406) 444-9741

Craig Henrikson
Environmental Engineer
Air Resources Management Bureau
(406) 444-6711

VW:CH
Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Montana Air Quality Permit #3241-01

Ward Crushing LLC
362 Vanderwood Road
Libby, MT 59923

April 25, 2012

MONTANA AIR QUALITY PERMIT

Issued To: Ward Crushing LLC
362 Vanderwood Road
Libby, MT 59923

MAQP: #3241-01
Administrative Amendment (AA) Request Received: 02/13/2012
Department's Decision on AA: 04/09/2012
Permit Final: 04/25/2012
AFS Number: 777-3241

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to Ward Crushing, LLC (Ward) pursuant to Sections 75-2-204 and 211 of the Montana Codes Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.740 *et seq*., as amended, for the following:

Section I: Permitted Facilities

A. Plant Location

Ward operates a portable crushing and screening facility which operates in various locations throughout Montana. MAQP #3241-01 applies while operating at any location in Montana, except within those areas having a Montana Department of Environmental Quality (Department)-approved permitting program, those areas considered tribal lands, or those areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}) nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County*. A complete list of the permitted equipment is contained in Section I.A of the Permit Analysis.

MAQP #3241-01 and Addendum 2 apply to the Ward facility while operating at any location in or within 10 km of certain PM_{10} nonattainment areas during the summer months (April 1 – September 30).

B. Current Permit Action

On February 13, 2012, the Department received an application for an administrative amendment under the Department's S source project, indicating Ward's participation in the program as described within Section I.E of the permit analysis. Ward's MAQP was amended to incorporate limits and conditions to maintain permit allowable emissions below 80 tons per year (tpy). In addition, the permit updates the rule references, permit format, and the emissions inventory.

Section II: Limitations and Conditions

A. Emission Limitations

1. All visible emissions from any Standards of Performance for New Stationary Source (NSPS)-affected crusher shall not exhibit an opacity in excess of the following averaged over 6 consecutive minutes (ARM 17.8.340, and 40 CFR 60, Subpart OOO):

   - For crushers that commence construction, modification, or reconstruction on or after April 22, 2008: 12% opacity

- For crushers that commence construction, modification, or reconstruction after August 31, 1983, but before April 22, 2008: 15% opacity

2. All visible emissions from any NSPS-affected equipment, other than a crusher (such as screens and conveyors), shall not exhibit an opacity in excess of the following averaged over 6 consecutive minutes (ARM 17.8.340 and 40 CFR 60, Subpart OOO):

   - For equipment that commences construction, modification, or reconstruction on or after April 22, 2008: 7% opacity

   - For equipment that commences construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008: 10% opacity

3. All visible emissions from any non-NSPS affected equipment shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).

4. Water and spray bars shall be available on-site at all times and operated as necessary to maintain compliance with the opacity limitations in Sections II.A.1, II.A.2, and II.A.3 (ARM 17.8.749).

5. Ward 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).

6. Ward shall treat all unpaved portions of the haul roads, access roads, parking lots, or 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.5 (ARM 17.8.749).

7. Ward shall not operate more than three (3) independent crushers at any given time and the maximum combined rated design capacity of the crushers shall not exceed 500 tons per hour (TPH) (ARM 17.8.749).

8. Ward shall not operate more than three (3) screens at any given time and the maximum combined rated design capacity of the screens shall not exceed 500 TPH (ARM 17.8.749).

9. Ward shall not operate or have on site more than two (2) diesel-fired generator sets and one diesel engine (referred to as D353 Cat Powerunit) at any given time and the maximum rated combined capacity of the two generators and D353 Cat Powerunit shall not exceed 1,646 horsepower (hp) (ARM 17.8.1204).

10. Operation of the diesel-fired generator engines and D353 Cat Powerunit shall not exceed 3,100 hours during any rolling 12-month time period (ARM 17.8.749 and ARM 17.8.1204).

11. If the permitted equipment is used in conjunction with any other equipment owned or operated by Ward, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons/year during any rolling 12-month time period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).

12. Ward shall comply with all applicable standards and limitations, and the reporting, record keeping, and notification requirements contained in 40 Code of Federal Regulations (CFR) Part 60, Subpart OOO, for the crushing/screening plant (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

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

B. Testing Requirements

1. Within 60 days after achieving maximum production, but no later than 180 days after initial start-up, an Environmental Protection Agency (EPA) Method 9 opacity test and/or other methods and procedures as specified in 40 CFR 60.675 must be performed on all NSPS affected equipment to demonstrate compliance with the emission limitations contained in Section II.A.1 and II.A.2 (ARM 17.8.340 and 40 CFR 60, General Provisions and Subpart OOO).

2. All compliance source tests shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).

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

C. Operational Reporting Requirements

1. If the crushing/screening facility is moved to another location, a notice of 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 17.8.749 and ARM 17.8.765).

2. Ward shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745 that would include ***the additional of a new emissions unit***, 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. Ward shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. The records compiled in accordance with this permit shall be maintained by Ward's 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 17.8.749).

4. Ward shall supply the Department with annual production information for all emission points, as required by the Department, in the annual emission inventory request. The request will include, but is not limited to, all sources of emissions identified in the most recent emission inventory report and sources identified in Section I.A of the permit analysis.

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

5. Ward shall document, by month, the hours of operation of the diesel generator engines and D353 Cat Powerunit. By the 25th day of each month, Ward shall calculate the hours of operation from the diesel generator engines and D353 Cat Powerunit for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.10. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

6. Ward shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit as required in ARM 17.8.1204. The annual certification shall comply with the certification requirements of ARM 17.8.1207. The annual certification shall be submitted with the annual emission inventory information (ARM 17.8.1204 and ARM 17.8.1207).

Section III: General Conditions

A. Inspection - Ward 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 Ward fails to appeal as indicated below.

C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving Ward of the responsibility for complying with any applicable federal, or Montana statute, rule or standard, except as specifically provided in ARM 17.8.740, *et seq*. (ARM 17.8.756).

D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401 *et seq*., MCA.

E. Appeals - Any person or persons jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department's decision, unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on a permit by the Board postpones the effective date of the Department's decision until conclusion of the hearing and issuance of a final decision by the Board. If a stay is not issued by the Board, the Department's decision on the application is final 16 days after the Department's decision is made.

F. Permit Inspection - As required by ARM 17.8.755 Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.

G. Air Quality Operation Fees - Pursuant to Section 75-2-220, MCA, failure to pay the annual operation fee by Ward may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the board.

H. Duration of Permit - Construction or installation must begin or contractual obligations entered into that would constitute substantial loss within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall expire (ARM 17.8.762).

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. Ward shall comply with the conditions contained in this permit while operating at any location in Montana, except within those areas that have a Department approved permitting program or areas considered tribal lands.

Montana Air Quality Permit (MAQP) Analysis
Ward Crushing, LLC
MAQP #3241-01

I. Introduction/Process Description

Ward Crushing, LLC (Ward) owns and operates a portable crushing and screening facility with a maximum rated design capacity of 500 tons per hour (TPH) of crushing production and 500 TPH of screening production. The facility typically employs diesel-fired generator sets to provide electrical service to equipment.

A. Permitted Equipment

Equipment permitted under this action consists of the following:

- Three (3) independent crushers with a combined throughput capacity of 500 TPH
- Three (3) screen plants with a combined throughput capacity of 500 TPH
- Two (2) diesel-fired generator sets and D353 Cat Powerunit with a combined rated capacity up to 1,646 horsepower (hp)
- One of the three crushing units has a combined jaw and roll crusher which is operated as a single unit
- Associated material handling equipment (conveyors, bin feeders, etc.)

B. Source Description

For a typical operational setup, materials are loaded into a hopper that feeds a conveyor to a portable crushing unit. Material is crushed by the crusher and conveyed to the screen. Properly sized material is conveyed to a stockpile for use and oversized material is conveyed back through the crushing/screening operation and then to a stockpile for use.

C. Home Pit Location

Ward has indicated it will use a location of 48.30997 latitude and -115.49782 longitude as its home pit location which is located in Lincoln County, MT. When not at other locations will return back to this location where it may reside for longer than 12 months.

D. Permit History

On March 3, 2003, Ward Crushing, LLC (Ward) submitted a complete permit application to operate a portable crushing/screening facility consisting of a portable jaw crusher (up to 200 tons per hour (TPH)), a rolls crusher (up to 150 TPH), a cone crusher (up to 150 TPH), a 3-deck screen (up to 200 TPH), a 2-deck screen (up to 150 TPH), a diesel generator (up to 500 kilowatts (kW)), a diesel generator (up to 300 kW), and associated equipment. MAQP 3241-01 was also issued with Addendum 1 allowing summer operation in PM_{10} nonattainment areas.

E. Current Permit Action

On February 13, 2012, the Department received an application for administrative amendment under the Department's S source project. The Department under took this project in the last quarter of 2011 to reduce the number of sources subject to the Compliance Monitoring Strategy (CMS) program; whereby reducing the Department's

burden associated with maintaining the CMS program. Sources eligible for participation in this program were those with MAQP's containing federally enforceable permit limitations to remain a minor source of emissions with respect to Title V and that had permit allowable emissions at or above 80 tpy. These sources were provided the option to amend their permits to allow incorporation of permit limits to maintain allowable emissions below 80 tpy. The current permit action amends Ward's MAQP to incorporate these limits, additionally this action updates rule references, permit format, and the emissions inventory. **MAQP #3241-01** replaces MAQP #3241-00 and **Addendum 2** replaces Addendum 1.

F. 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 quotations of some applicable rules and regulations, which 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 locations of complete copies of all applicable rules and regulations or copies where appropriate.

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

1. ARM 17.8.101 Definitions. This rule 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*., MCA.

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

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

5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which 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:

1. ARM 17.8.204 Ambient Air Monitoring
2. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide (SO_2)
3. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide (NO_2)
4. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide (CO)
5. ARM 17.8.213 Ambient Air Quality Standard for Ozone (O_3)
6. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate (PM)
7. ARM 17.8.223 Ambient Air Quality Standard for Particulate Matter with an Aerodynamic Diameter of Ten Microns or Less (PM_{10})

Ward must comply with the applicable ambient air quality standards.

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

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged to an outdoor atmosphere from any source installed after Nov. 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 are taken to control emissions of airborne particulate matter. (2) Under this rule, Ward shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.

3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this rule.

4. ARM 17.8.310 Particulate Matter, Industrial Process. This section 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 section.

5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this rule.

6. ARM 17.8.324 Hydrocarbon Emissions--Petroleum Products. (3) No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank truck or trailer is equipped with a vapor loss control device as described in (1) of this rule.

7. ARM 17.8.340 Standards of Performance for New Stationary Sources. This rule incorporates, by reference, 40 Code of Federal Regulations (CFR) Part 60, Standards of Performance for New Stationary Sources (NSPS). Ward is considered an NSPS affected facility under this standard and is subject to the requirements of the following subparts:

   a. 40 CFR 60, Subpart A - General Provisions apply to all equipment or facilities subject to an NSPS Subpart as listed below:

   b. 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants, indicates that NSPS requirements apply to portable crushing/screening facilities with capacities greater than 150 tons per hour and that were constructed after August 31, 1983. Based on the information submitted by Ward, the portable crushing equipment to be used under this air quality permit is subject to this subpart as it meets the definition of an affected facility and has been constructed or modified after August 31, 1983.

   c. 40 CFR 60, Subpart IIII, Standards of Performance for Stationary Compression Ignition (CI) Internal Combustion Engines (ICE). Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are manufactured after April 1, 2006, and are not fire pump engines, or are manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006, and owners and operators of stationary CI ICE that modify or reconstruct their stationary CI ICE after July 11, 2005, are subject to this part. As this permit is written in a de minimis friendly manner, operational flexibility is afforded to this facility to substitute engines. Therefore applicability to this subpart is dependent upon the equipment utilized and the location and nature of operation of the equipment.

8. ARM 17.8.342 Emission Standards for Hazardous Air Pollutants for Source Categories. This rule incorporates, by reference, 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories. Based on the information submitted by Ward the associated diesel engines are applicable to NESHAP (40 CFR 63), as follows:

   a. 40 CFR 63, Subpart A – General Provisions apply to all equipment or facilities subject to an NESHAPs Subpart as listed below:

   b. 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE). As an area source, the diesel RICE operated by Ward are potentially subject to this rule. Although diesel RICE engines are an affected source, per 40 CFR 63.5490(b)(3), they do not have any requirements unless they are new or reconstructed after June 12, 2006. As Ward is considered an area source of HAP emissions and operates RICE equipment the engine(s) are potentially subject to this subpart.

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 Ward submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the

proper application fee is paid to the Department. A permit fee is not required for the current permit action because the permit action is considered an administrative permit change.

2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department. This operation fee is based on the actual or estimated 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 pro-rate the required fee amount.

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

1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.

2. ARM 17.8.743 Montana Air Quality Permits -- When Required. This rule requires a person to obtain an air quality permit or permit alteration to construct, alter, or use any asphalt plant, crusher, or screen that has the Potential to Emit (PTE) greater than 15 tons per year (tpy) of any pollutant. Ward has a PTE more than 15 tpy of particulate matter, PM, Carbon Monoxide (CO) and oxides of nitrogen (NO_x), therefore, a permit is required.

3. ARM 17.8.744 Montana Air Quality Permits -- General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit Program.

4. ARM 17.8.745 Montana Air Quality Permits -- Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that do not require a permit under the Montana Air Quality Permit Program.

5. ARM 17.8.748 New or Modified Emitting Units -- Permit Application Requirements. (1) This rule requires that a permit application be submitted prior to installation, modification, or use of a source. A permit application was not required for the current permit action because the permit change is considered an administrative permit change. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. An affidavit of publication of public notice was not required for the current permit action because the permit change is considered an administrative permit change.

6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit

must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.

7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. Any required BACT analysis is included in Section III of this permit analysis.

8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.

9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Ward 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 Ward, 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 the changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.

14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an air quality permit may be transferred from one location to another if the Department receives a complete notice of Intent to Transfer location, the facility will operate in the new location for less than 1 year, the facility will comply with the FCAA and the Clean Air Act of Montana, and the facility complies with other applicable rules.

(2) This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. 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 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 that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source because it is not a listed source and does not have the PTE more than 250 tons per year of any air pollutant.

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

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

a. PTE > 100 tpy of any pollutant;

b. PTE > 10 tpy of any single hazardous air pollutant (HAP), PTE > 25 tpy of combined HAPs, or a lesser quantity as the Department may establish by rule; or

c. Sources with the PTE > 70 tpy 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 MAQP #3241-01 for Ward, the following conclusions were made:

a. Ward has requested federally-enforceable permit operating limits be established to maintain the facility's PTE below 100 tpy and 80 tpy for all criteria pollutants.

b. The facility's PTE is less than 10 tpy of any single HAP and less than 25 tpy of combined HAPs.

c. This source may locate in a serious PM_{10} nonattainment area.

d. This facility is subject to current NSPS standard 40 CFR 60, Subpart OOO and potentially subject to NSPS standard 40 CFR 60, Subpart IIII.

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

f. This source is not a Title IV affected source.

g. This source is not solid waste combustion unit.

h. This source is not an EPA designated Title V source.

Ward requested federally-enforceable permit limitations to remain a minor source of emissions with respect to Title V. Based on these limitations, the Department determined that this facility is not subject to the Title V Operating Permit Program. However, in the event that the EPA makes minor sources that are subject to NSPS obtain a Title V Operating Permit, this source will be subject to the Title V Operating Permit Program.

i. ARM 17.8.1204(3). The Department may exempt a source from the requirement to obtain an air quality operating permit by establishing federally enforceable limitations which limit that source's PTE.

i. In applying for an exemption under this section the owner or operator of the facility shall certify to the Department that the source's PTE does not require the source to obtain an air quality operating permit.

ii. Any source that obtains a federally enforceable limit on PTE shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit.

3. ARM 17.8.1207 Certification of Truth, Accuracy, and Completeness. The compliance certification submittal required by ARM 17.8.1204(3) shall contain a certification of truth, accuracy, and completeness by a responsible official. This certification and any other certification required under this subchapter shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

III. BACT Determination

A BACT determination is required for any new or altered source. Ward shall install on the new or altered source the maximum air pollution control capability that is technologically practicable and economically feasible, except that BACT shall be used.

A BACT determination was not required for the current permit action because the permit change is considered an administrative permit change.

IV. Emission Inventory

Emission Source	Emissions Tons/Year [PTE]						
	PM	PM_{10}	$PM_{2.5}$	CO	NO_x	SO_x	VOC
Crushers Total Combined Up To 500 Ton/hr	2.89	1.30	0.24	--	--	--	--
Screens Total Combined Up to 500 Ton/hr	4.82	1.62	0.11	--	--	--	--
Truck Unloading (Assume all material is unloaded that can be processed in crushers)	0.04	0.04	--	--	--	--	--
Transfer Points (Assume 3 Transfer Points for each screen)	0.92	0.30	0.09	--	--	--	--
Pile Formation (Assume sum of crusher capacity)	7.08	3.35	0.51	--	--	--	--
Truck Loading (Assume all material is eventually loaded)	0.31	0.10	--	--	--	--	--
Two Diesel Generators and Direct Drive Diesel Engine (Up to a Total 1646 hp)	5.61	4.49	4.49	17.04	79.09	5.23	6.41
Unpaved Roadways (Haul Roads)	5.39	1.49	0.15	--	--	--	--
TOTAL EMISSIONS >	27.06	12.69	5.58	17.04	79.09	5.23	6.41

Emission Inventory reflects enforceable limits on hours of operation of the diesel-fired generator engine to keep allowable NO_x emissions below the Title V threshold [100 tpy] and the State CMS SM Source threshold [80 tpy].

CMS, Compliance Monitoring Strategy
CO, carbon monoxide
hp, horsepower
MMBtu, million British Thermal Units
NO_X, oxides of nitrogen
PTE, Potential To Emit
PM, particulate matter
PM_{COND}, condensable particulate matter
PM_{10}, particulate matter with an aerodynamic diameter of 10 microns or less
$PM_{2.5}$, particulate matter with an aerodynamic diameter of 2.5 microns or less [Sum of condensable and filterable]
SM, synthetic minor (with respect to Title V criteria pollutants)
SO_2, sulfur dioxide
TPH, tons per hour
TPY, tons per year

Ward Crushing Emission Inventory
Calculation Details

Crusher Crusher Capacity			**SCC 3-05-20-03**		
Process Rate:	150	ton/hr			
Operating Hours	8760	hours/year		1314000	tpy
PM Emissions:					

Emission Factor	0.0012	lbs/ton [AP-42 Table 11.19.2-2 8/04]	lbs/ton 8/04]	[AP-42 Table 11.19.2-2	Controlled		
Calculations	(0.0012 lbs/ton) * (150.00 ton/hour) =					0.18	lbs/hr
	(0.18 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =					0.79	TPY
PM_{10} Emissions:							
Emission Factor	0.00054	lbs/ton	[AP-42 Table 11.19.2-2 8/04]				
Calculations	(0.00054 lbs/ton) * (150.00 ton/hour) =					0.08	lbs/hr
	(0.08 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =					0.35	TPY
$PM_{2.5}$ Emissions:							
Emission Factor	0.0001	lbs/ton	[AP-42 Table 11.19.2-2 8/04]				
Calculations	(0.0001 lbs/ton) * (150.00 ton/hour) =					0.02	lbs/hr
	(0.02 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =					0.07	TPY

Crusher Crusher Capacity		**SCC 3-05-20-03**					
Process Rate:	200.0	ton/hr					
Operating Hours	8760	hours/year		1752000	tpy		
PM Emissions:							
Emission Factor	0.0012	lbs/ton	[AP-42 Table 11.19.2-2 8/04]		Controlled		
Calculations	(0.0012 lbs/ton) * (200.00 ton/hour) =					0.24	lbs/hr
	(0.24 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =					1.05	TPY
PM_{10} Emissions:							
Emission Factor	0.00054	lbs/ton	[AP-42 Table 11.19.2-2 8/04]				
Calculations	(0.00054 lbs/ton) * (200.00 ton/hour) =					0.11	lbs/hr
	(0.11 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =					0.47	TPY
PM2.5 Emissions:							
Emission Factor	0.0001	lbs/ton	[AP-42 Table 11.19.2-2 8/04]				

Calculations	(0.0001 lbs/ton) * (200.00 ton/hour) =				0.02	lbs/hr
	(0.02 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =				0.09	TPY
Crusher Crusher Capacity		**SCC 3-05-20-03**				
Process Rate:	150.0	ton/hr				
Operating Hours	8760	hours/year	1314000	tpy		
PM Emissions:						
Emission Factor	0.0012	lbs/ton	[AP-42 Table 11.19.2-2 8/04]	Controlled		
Calculations	(0.0012 lbs/ton) * (200.00 ton/hour) =				0.24	lbs/hr
	(0.24 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =				1.05	TPY
PM_{10} Emissions:						
Emission Factor	0.00054	lbs/ton	[AP-42 Table 11.19.2-2 8/04]			
Calculations	(0.00054 lbs/ton) * (200.00 ton/hour) =				0.11	lbs/hr
	(0.11 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =				0.47	TPY
PM2.5 Emissions:						
Emission Factor	0.0001	lbs/ton	[AP-42 Table 11.19.2-2 8/04]			
Calculations	(0.0001 lbs/ton) * (200.00 ton/hour) =				0.02	lbs/hr
	(0.02 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =				0.09	TPY
Truck Unloading (Assume all material is unloaded that can be processed in crushers)		**SCC 3-05-020-31**				
Process Rate:	500.0	ton/hr (Assumes each crusher operates independently)				
Operating Hours	8760	hours/year				
PM Emissions	(Set to Match PM_{10} directly below)				0.04	TPY
PM_{10} Emissions:						
Emission Factor	0.000016	lbs/ton	[AP-42 Table 11.19.2-2 8/04]			
Calculations	(0.000016 lbs/ton) * (500.00 ton/hour) =				0.01	lbs/hr
	(0.01 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =				0.04	TPY

Screens (Assume all material is screened that can be processed in crushers)

SCC 3-05-20-02,-03

Process Rate:	500	ton/hr			
Operating Hours	8760	hours/year	4380000		
PM Emissions:			(Screening controlled)		
Emission Factor	0.00220	lbs/ton	[AP-42 Table 11.19.2-2 8/04]		
Calculations	(0.0022 lbs/ton) * (500.00 ton/hour) =			1.10	lbs/hr
	(1.10 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =			4.82	TPY
PM_{10} Emissions:					
Emission Factor	0.00074	lbs/ton	[AP-42 Table 11.19.2-2 8/04]		
Calculations	(0.00074 lbs/ton) * (500.00 ton/hour) =			0.37	lbs/hr
	(0.37 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =			1.62	TPY
PM2.5 Emissions:					
Emission Factor	0.00005	lbs/ton	[AP-42 Table 11.19.2-2 8/04]		
Calculations	(0.00005 lbs/ton) * (500.00 ton/hour) =			0.03	lbs/hr
	(0.03 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =			0.11	TPY

Transfer Points (Assume 3 Transfer Point that are Controlled Covering alternate product streams)

SCC 3-05-020-06

Process Rate:	1500	ton/hr (Assumes each crusher operates independently and average of 3 conveyors used)			
Operating Hours	8760	hours/year			
PM Emissions:			(Conveyor Transfer Points)		
Emission Factor	0.00014	lbs/ton	[AP-42 Table 11.19.2-2 8/04]		
Calculations	(0.00014 lbs/ton) * (1,500.00 ton/hour) =			0.21	lbs/hr
	(0.21 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =			0.92	TPY
PM10 Emissions:					
Emission Factor	0.000046	lbs/ton	[AP-42 Table 11.19.2-2 8/04]		
Calculations	(0.000046 lbs/ton) * (1,500.00 ton/hour) =			0.07	lbs/hr
	(0.07 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =			0.30	TPY

PM2.5 Emissions:							
Emission Factor	0.000013	lbs/ton	[AP-42 Table 11.19.2-2 8/04]				
Calculations	(0.000013 lbs/ton) * (1,500.00 ton/hour) =				0.02	lbs/hr	
	(0.02 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =				0.09	TPY	

Pile Formation (Assume equipment thru- put is crusher total capacity)

Process Rate:	500	ton/hr	Equation 1 from AP-42 Sec 13.2.4.3 11/06				
Operating Hours	8760	hrs/year	U = wind speed miles per hour	8.15	(estimate)		
			k = particle size multiplier	0.74	AP-42 Sec 13.2.4-3 11/06		
PM Emissions:			M = Moisture content %	2.52	(estimate)		
Emission Factor	0.00323375	lbs/ton	E=k*(0.0032)*(U/5)^1.3/(M/2)^1.4				
Calculations	(0.00323 lbs/ton) * (500.00 ton/hour) =				1.62	lbs/hr	
	(1.62 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =				7.08	TPY	
			Equation 1 from AP-42 Sec 13.2.4.3 11/06				
			U = wind speed miles per hour	8.15		8.15	(estimate)
			k = particle size multiplier	0.35		0.35	AP-42 Sec 13.2.4-3 11/06
PM_{10} Emissions:			M = Moisture content %	2.52		2.52	(estimate)
Emission Factor	0.00152948	lbs/ton	E=k*(0.0032)*(U/5)^1.3/(M/2)^1.4				
Calculations	(0.00153 lbs/ton) * (500.00 ton/hour) =				0.76	lbs/hr	
	(0.76 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =				3.35	TPY	
$PM_{2.5}$ Emissions:			Equation 1 from AP-42 Sec 13.2.4.3 11/06				
			U = wind speed miles per hour	8.15		8.15	(estimate)
			k = particle size multiplier	0.053		0.35	AP-42 Sec 13.2.4-3 11/06
			M = Moisture content %	2.52		2.52	(estimate)
Emission Factor	0.00023161	lbs/ton	E=k*(0.0032)*(U/5)^1.3/(M/2)^1.4				
Calculations	(0.00023 lbs/ton) * (500.00 ton/hour) =				0.12	lbs/hr	
	(0.12 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =				0.51	TPY	

Truck Loading (Assume all material is eventually loaded)

Modeled as Truck Loading Conveyor

Process Rate:	500	ton/hr			
Operating Hours	8760	hours/year			
PM Emissions:					
Emission Factor	0.00014	lbs/ton	[AP-42 Table 11.19.2-2 8/04]		
Calculations	(0.00014 lbs/ton) * (500.00 ton/hour) =			0.07	lbs/hr
	(0.07 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =			0.31	TPY
PM_{10} Emissions:					
Emission Factor	0.000046	lbs/ton	[AP-42 Table 11.19.2-2 8/04]		
Calculations	(0.000046 lbs/ton) * (500.00 ton/hour) =			0.02	lbs/hr
	(0.02 lbs/hr) * (8760 hrs/yr) *(0.0005 tons/lb) =			0.10	TPY

Two Diesel Generators and Direct Drive Diesel Engine (Up to a Total 1646 hp) **SCC 2-02-001-02**

Engine Rating:	1646	hp	Two generators plus Cat Power Unit Engine		
Operating Hours:	3100	hrs/yr			

Particulate Emissions:

PM Emissions:					
Emission Factor	0.0022	lb/hp-hr	[AP-42 3.3-1, 10/96]		
Calculations	(0.0022 lb/hp-hr) * (1646 hp) =			3.62	lbs/hr
	(3.62 lbs/hr) * (3100 hrs/yr) * (0.0005 tons/lb) =			5.61	TPY
PM_{10} Emissions:					
Emission Factor	0.0018	lb/hp-hr	[AP-42 3.3-1, 6/06]		
Calculations	(0.00176 lb/hp-hr) * (1646 hp) =			2.90	lbs/hr
	(2.90 lbs/hr) * (3100 hrs/yr) * (0.0005 tons/lb) =			4.49	TPY
$PM_{2.5}$ Emissions:					
Emission Factor	0.0018	lb/hp-hr	[AP-42 3.3-1, 10/96]		

Calculations	(0.00176 lb/hp-hr) * (1646 hp) =	2.90	lbs/hr
	(2.90 lbs/hr) * (3100 hrs/yr) * (0.0005 tons/lb) =	4.49	TPY

CO Emissions:

Emission Factor	0.00668 lb/hp-hr	[AP-42 3.3-1, 6/06]	
Calculations	(0.00668 lb/hp-hr) * (1646 hp) =	11.00	lbs/hr
	(11.00 lbs/hr) * (3100 hrs/yr) * (0.0005 tons/lb) =	17.04	TPY

NOx Emissions:

Emission Factor	0.031 lb/hp-hr	[AP-42 3.3-1, 6/06]	
Calculations	(0.031 lb/hp-hr) * (1646 hp) =	51.03	lbs/hr
	(51.03 lbs/hr) * (3100 hrs/yr) * (0.0005 tons/lb) =	79.09	TPY

SOx Emissions:

Emission Factor	0.00205 lb/hp-hr	[AP-42 3.3-1, 6/06]	
Calculations	(0.0021 lb/hp-hr) * (1646 hp) =	3.37	lbs/hr
	(3.37 lbs/hr) * (3100 hrs/yr) * (0.0005 tons/lb) =	5.23	TPY

VOC Emissions:

Emission Factor	0.00251 lb/hp-hr	[AP-42 3.3-1, 6/06]	
Calculations	(0.0025 lb/hp-hr) * (1646 hp) =	4.13	lbs/hr
	(4.13 lbs/hr) * (3100 hrs/yr) * (0.0005 tons/lb) =	6.41	TPY

Unpaved Roadways (Haul Roads)

Emission Factor: $EF = k(s/12)^{a} * (W/3)^{b}$ [AP-42 13.2.2.2, 11/06]

EF, Emission Factor = lbs Emitted Per Vehicle Mile Traveled (VMT)

k, Empirical Constant PM =	4.9	[AP-42 Table 13.2.2-2, 11/06]
k, Empirical Constant PM_{10} =	1.5	[AP-42 Table 13.2.2-2, 11/06]
k, Empirical Constant $PM_{2.5}$ =	0.15	[AP-42 Table 13.2.2-2, 11/06]
s, Surface Material Silt Content (%) =	7.1	[AP-42 Table 13.2.2-1, 11/06]
W, Mean Vehicle Weight Loaded (tons) =	48	[Estimated]
a, Empirical Constant PM =	0.7	[AP-42 Table 13.2.2-2, 11/06]
a, Empirical Constant $PM_{10\ and}$ $PM_{2.5}$ =	0.9	[AP-42 Table 13.2.2-2, 11/06]
b, Empirical Constant PM , PM10 and $PM_{2.5}$ =	0.45	[AP-42 Table 13.2.2-2, 11/06]

PM Emissions(uncontrolled): PM30

Emission Factor	EF = 4.9 * (7.1/12)^0.7 * (48/3)^0.45 =	11.82	lbs/VMT

Calculations	(11.82 lbs/VMT) * (5 miles/day) =			59.08	lbs/day
	(59.08 lbs/day) * (365 days/yr) * (0.0005 tons/lb) =			10.78	TPY
	50% Control Applied			5.39	TPY
PM_{10} Emissions(uncontrolled):					
Emission Factor	EF = 1.5 * (7.1/12)^0.9 * (48/3)^0.45 =	3.26	lbs/VMT		
Calculations	(3.26 lbs/VMT) * (5 miles/day) =			16.28	lbs/day
	(16.28 lbs/day) * (365 days/yr) * (0.0005 tons/lb) =			2.97	TPY
	50% Control Applied			1.49	TPY
$PM_{2.5}$ Emissions(uncontrolled):					
Emission Factor	EF = 0.15 * (7.1/12)^0.9 * (48/3)^0.45 =	0.33	lbs/VMT		
Calculations	(0.33 lbs/VMT) * (5 miles/day) =			1.63	lbs/day
	(1.63 lbs/day) * (365 days/yr) * (0.0005 tons/lb) =			0.30	TPY
	50% Control Applied			0.15	TPY

V. Existing Air Quality and Impacts

Addendum 2 of MAQP #3241-01 would cover this portable crushing/screening plant while operating in or within 10 km of certain PM_{10} nonattainment areas during the summer months (April 1 through September 30). Permit #3241-01 would also cover this facility while operating in areas classified as attainment or unclassified for ambient air quality standards.

VI. Air Quality Impacts

Based on the information provided and the conditions previously established in previous versions of this MAQP, the amount of controlled emissions generated by this facility will not exceed any set ambient air quality standards. Further, the limitations and conditions established in Addendum 2 would further reduce emissions in the nonattainment areas and would be protective of the ambient air quality standards. Also, this facility is a portable source that would operate on an intermittent and temporary basis, so any effects to air quality will be minor and short-lived. The conditions in MAQP #3241-01 will be protective of air quality while Ward is operating at locations classified as attainment or unclassified for ambient air quality standards.

VII. Ambient Air Impact Analysis

Based on information provided and the conditions established in MAQP #3241-01, the Department determined that there will be no impact from this permitting action.

VIII. Taking or Damaging Implication Analysis

As required by 2-10-105, MCA, the Department conducted the following private property taking and damaging assessment.

YES	NO	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deny a fundamental attribute of ownership? (ex.: right to exclude others, disposal of property)
	X	4. Does the action deprive the owner of all economically viable uses of the property?
	X	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? [If no, go to (6)].
		5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
		5b. Is the government requirement roughly proportional to the impact of the proposed use of the property?
	X	6. Does the action have a severe impact on the value of the property? (consider economic impact, investment-backed expectations, character of government action)
	X	7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally?
	X	7a. Is the impact of government action direct, peculiar, and significant?
	X	7b. Has government action resulted in the property becoming practically inaccessible, waterlogged or flooded?
	X	7c. Has government action lowered property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?
	X	Takings or damaging implications? (Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b; the shaded areas)

Based on this analysis, the Department determined there are no taking or damaging implications associated with this permit action.

IX. Environmental Assessment

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

Analysis Prepared by: C. Henrikson
Date: April 2, 2012

Addendum 2
Ward Crushing, LLC
Montana Air Quality Permit (MAQP) #3241-01

An addendum to MAQP #3241-01 is hereby granted to Ward Crushing LLC (Ward) pursuant to Section 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.765, as amended, for the following:

I. Permitted Equipment:

Addendum 2 to MAQP #3241-01 is for the operation of a portable crushing/screening operation in or within 10 kilometers (km) of the following particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}) nonattainment areas: Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish.

II. Seasonal and Site Restrictions – **Winter and Summer Seasons**

Addendum 2 applies to the Ward facility while operating at any location in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}) nonattainment areas. Additionally, seasonal and site restrictions apply to the facility as follows:

A. During the winter season (October 1-March 31) – Ward may not operate at any location in or within 10 km of any PM_{10} nonattainment area.

B. During the summer season (April 1-September 30) – Ward may operate at any location in or within 10 km of the Butte, Columbia Falls, Kalispell, Libby, Thompson Falls, and Whitefish PM_{10} nonattainment areas.

C. Ward shall comply with the limitations and conditions contained in Addendum 2 to MAQP #3241-01 while operating in or within 10 km of any of the previously identified PM_{10} nonattainment areas. Addendum 2 shall be valid until revoked or modified. The Department reserves the authority to modify Addendum 2 at any time based on local conditions of any future site. These conditions may include, but are not limited to, local terrain, meteorological conditions, proximity to residences or other businesses, etc.

III. Limitations and Conditions

A. Operational Limitations and Conditions – Summer Season Conditions

1. Water spray bars must be available and operated, as necessary**,** on the crushers, screens, and all transfer points whenever the crushing/screening plant is in operation (ARM 17.8.749).

2. Ward shall not cause or authorize to be discharged into the atmosphere from any equipment, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749). For NSPS-affected equipment constructed after April 22, 2008 for which an opacity limitation of 7% applies (such as screens and conveyors), that 7% limit shall apply to the affected equipment (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

3. Ward shall not cause or authorize to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant property any visible fugitive emissions that exhibit an opacity of 10% or greater (ARM 17.8.749).

4. Ward shall treat all unpaved portions of the access roads, parking lots, and general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the 10% opacity limitation (ARM 17.8.749).

5. Ward shall not operate, or have on-site, more than three independent crushers at any one time. Total crusher production shall not exceed 5,250 tons per day (ARM 17.8.749).

6. Ward shall not operate, or have on-site, more than three screens at any one time. Total screen production shall not exceed 5,250 tons per day (ARM 17.8.749).

7. Ward shall not operate or have on-site more than two (2) diesel engine(s)/generator(s) plus one D353 Cat Powerunit. The maximum combined capacity of the engine(s) that drives the generators and D353Cat Powerunit shall not exceed 1,646 hp (ARM 17.8.749).

8. Operation of the diesel engines and D353 Cat Powerunit shall each not exceed 10.5 hours per day (ARM 17.8.749).

B. Operation Limitations and Conditions – Winter Season Conditions

1. MAQP #3241-01 does not allow winter season operation at any location in or within 10 km of any PM_{10} nonattainment area.

C. Operational Reporting Requirements

1. If this crushing/screening plant is moved to another nonattainment location, an Intent to Transfer form must be sent to the Department and 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 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 17.8.749 and ARM 17.8.765).

2. Production information for the sites covered by this addendum must be maintained for five years and submitted to the Department upon request. The information must include (ARM 17.8.749):

   a. Daily tons of material crushed by each crusher at each site (including amount of recirculated/rerun material). Ward shall document, by day, the total crushing production. Ward shall sum the total crushing production for the previous day to demonstrate compliance with the limitations in Sections III.A.5.

   b. Daily tons of material screened by each screen at each site (including amount of recirculated/rerun material). Ward shall document, by day, the total screening production. Ward shall sum the total screening production for the previous day to demonstrate compliance with the limitations in Sections III.A.6.

   c. Daily tons of bulk material loaded at each site (production).

   d. Daily hours of operation at each site.

   e. Daily hours of operation and the hp for each engine at each site.

   f. Fugitive dust information consisting of the daily total miles driven on unpaved roads within the operating site for all plant vehicles.

Addendum 2 Analysis
Ward Crushing, LLC
Montana Air Quality Permit (MAQP) #2999-06

I. Permitted Equipment

Ward Crushing, LLC (Ward), operates a portable crushing/screening facility consisting of three crushers (up to 500 tons per hour (TPH)), three screens (up to 500 TPH), two diesel generators and a D353 Cat Powerunit with a total combined rating up to 1,646 horsepower (hp) and associated equipment.

II. Source Description

Ward uses this crushing/screening plant to crush, screen, and sort sand and gravel materials for use in various construction operations. For a typical operational setup, unprocessed materials are loaded into the crushing/screening plant via a hopper and transferred by conveyor to the crushers. From the crusher, materials are sent to the screen, where they are separated and conveyed to stockpiles.

III. Applicable Rules and Regulations

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

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

A. ARM 17.8.749 Conditions for Issuance of Permit. This rule requires that the 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.

B. 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. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.

C. ARM 17.8.765 Transfer of Permit. An air quality permit may be transferred from one location to another if:

1. Written notice of Intent to Transfer location and proof of public notice are sent to the Department;

2. The source will operate in the new location for a period of less than 1 year; and

3. The source will not have any significant impact on any nonattainment area or any Class I area.

IV. Emission Inventory

Emission Source	Emissions Lbs/Day [PTE]						
	PM	PM_{10}	$PM_{2.5}$	CO	NO_x	SO_x	VOC
Crushers Total Combined Up To 500 Ton/hr	6.93	3.12	0.58	--	--	--	--
Screens Total Combined Up to 500 Ton/hr	11.55	3.89	0.26	--	--	--	--
Truck Unloading (Assume all material is unloaded that can be processed in crushers)	0.19	0.08	--	--	--	--	--
Transfer Points (Assume 3 Transfer Points for each screen)	2.21	0.72	0.20	--	--	--	--
Pile Formation (Assume sum of crusher capacity)	16.98	8.03	1.22	--	--	--	--
Truck Loading (Assume all material is eventually loaded)	0.74	0.24	--	--	--	--	--
Two Diesel Generators and Direct Drive Diesel Engine (Up to a Total 1646 hp)	38.02	30.42	30.42	115.45	535.77	35.43	43.40
Unpaved Roadways (Haul Roads)	59.08	16.28	1.63	--	--	--	--
TOTAL EMISSIONS >	135.70	62.79	34.31	115.45	535.77	35.43	43.40

Emission Inventory reflects enforceable limits on hours of operation of the diesel-fired generator engine to keep allowable NO_x emissions below the Title V threshold [100 tpy] and the State CMS SM Source threshold [80 tpy].

CMS, Compliance Monitoring Strategy
CO, carbon monoxide
hp, horsepower
MMBtu, million British Thermal Units
NO_X, oxides of nitrogen
PTE, Potential To Emit
PM, particulate matter
PM_{COND}, condensable particulate matter
PM_{10}, particulate matter with an aerodynamic diameter of 10 microns or less
$PM_{2.5}$, particulate matter with an aerodynamic diameter of 2.5 microns or less [Sum of condensable and filterable]
SM, synthetic minor (with respect to Title V criteria pollutants)
SO_2, sulfur dioxide
TPH, tons per hour
TPY, tons per year

V. Existing Air Quality

On July 1, 1987, the Environmental Protection Agency (EPA) promulgated new National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}). Due to exceedances of the national standards for PM_{10}, the cities of Kalispell (and the nearby Evergreen area), Columbia Falls, Butte, Whitefish, Libby, Missoula, and Thompson Falls were designated by EPA as nonattainment for PM_{10}. As a result of this designation, the EPA required the Department and the City-County Health Departments to submit PM_{10} State Implementation Plans (SIP). The SIPs consisted of emission control plans that controlled fugitive dust emissions from roads, parking lots, construction, and demolition, since technical studies identified these sources to be the major contributors to PM_{10} emissions.

MAQP #3241-01 and Addendum 2 are for a portable crushing/screening plant that will locate at sites in or within 10 kilometers (km) of certain PM_{10} nonattainment areas. The more stringent operating conditions contained in the addendum will minimize any potential impact on the

nonattainment areas and will protect the national ambient air quality standards. Also, this facility is a portable source that would be expected to operate on an intermittent and temporary basis and any effects on air quality would be expected to be minor and short-lived.

VI. Air Quality Impacts

MAQP #3241-01 and Addendum 2 will cover the operations of this portable crushing/screening plant while operating at any location within Montana, excluding those counties that have a Department approved permitting program and those areas that are tribal lands.

Addendum 2 will cover the operations of this portable crushing/screening plant, while operating in or within 10 km of the PM_{10} nonattainment area during the summer months (April 1 through September 30).

VII. Taking or Damaging Implication Analysis

As required by 2-10-101 through 105, MCA, the Department conducted the following private property taking and damaging assessment:

YES	NO	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deny a fundamental attribute of ownership? (ex.: right to exclude others, disposal of property)
	X	4. Does the action deprive the owner of all economically viable uses of the property?
	X	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? [If no, go to (6)].
		5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
		5b. Is the government requirement roughly proportional to the impact of the proposed use of the property?
	X	6. Does the action have a severe impact on the value of the property? (consider economic impact, investment-backed expectations, character of government action)
	X	7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally?
	X	7a. Is the impact of government action direct, peculiar, and significant?
	X	7b. Has government action resulted in the property becoming practically inaccessible, waterlogged or flooded?
	X	7c. Has government action lowered property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?
	X	Takings or damaging implications? (Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b; the shaded areas)

Based on this analysis, the Department determined there are no taking or damaging implications associated with this permit action.

VIII. Environmental Assessment

The current permit action is an administrative amendment and does not constitute a state action; therefore, an environmental assessment is not required for the proposed project.

Addendum Analysis Prepared by: C.Henrikson
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