ADMINISTRATIVE AMENDMENT
TO MONTANA AIR QUALITY PERMIT

Date of Mailing: September 7, 2016

Name of Applicant: Kenyon Noble Ready Mix

Source: Portable cement/concrete ready-mix plant

Location: Various locations throughout Montana

Proposed Action: The Department of Environmental Quality (Department) proposes to issue an Administrative Amendment, with conditions, to the above-named permittee. The permit will be assigned #4065-01. The permittee may appeal the Department's decision to the Board of Environmental Review (Board). A request for hearing must be filed by September 22, 2016. This permit shall become final on September 23, 2016, unless the Board orders a stay on the permit.

Proposed Conditions: See attached.

Procedures for Appeal: The permittee may request a hearing before the Board. Any appeal must be filed before the final date stated above. The request for hearing shall contain an affidavit setting forth the grounds for the request. Any hearing will be held under the provisions of the Montana Administrative Procedures Act. Submit requests for hearing in triplicate to: Chairman, Board of Environmental Review, P.O. Box 200901, Helena, Montana 59620.

For the Department,

Julie Merkel
Permitting Services Section Supervisor
Air Quality Bureau
(406) 444-3626

Ed Warner
Lead Engineer – Permitting Services Section
Air Quality Bureau
(406) 444-2467

JM:EW
Enclosure

MONTANA AIR QUALITY PERMIT

Issued To: Kenyon Noble Ready Mix
P.O. Box 1387
Bozeman, MT 59771

MAQP: #4065-01
Administrative Amendment (AA) Request
Received: 8/08/2016
Department's Decision on AA: 9/07/2016
Permit Final:
AFS #:777-4065

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to Kenyon Noble Ready Mix (Kenyon Noble) pursuant to Sections 75-2-204 and 211 of the Montana Code 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. Permitted Equipment

Kenyon Noble owns and operates a portable cement/concrete ready-mix plant. Permitted equipment includes a cement batcher (12 cubic yard (yd^3) capacity), a cement truss/bin (55 ton per hour (ton/hr) capacity), an aggregate batcher (100 ton/hr capacity), an aggregate bin (100 ton/hr capacity), a fabric filter dust collection system, backup diesel generator, and associated material handling and processing equipment.

B. Plant Location

MAQP #4065-01 applies while operating at any location in Montana, except those areas having a Department of Environmental Quality (Department)-approved permitting program, areas considered tribal lands, or 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, Montana.* An addendum will be required for operating in locations in or within 10 km of certain PM_{10} nonattainment areas.

The initial operating site is 47755 Gallatin Road, Gallatin Gateway, Montana, which is approximately 0.5 miles south of Big Sky Spur Road and just off Montana Highway 191. The legal description of the site is Section 32, Township 6 South, Range 4 East, in Gallatin County, Montana.

C. Current Permit Action

On August 8, 2016, Kenyon Noble submitted a de minimis notification for the operation of a backup generator powered by a 150-horsepower (hp) diesel engine for use as a backup source of electricity during periods when utility power has become unavailable due to a power outage. In accordance with Department policy for backup generators, the maximum potential emissions were based on up to 500 hours per year of use for operation and maintenance. The Department approved the inclusion of the backup generator as a de minimis change. The current permit action updates the MAQP to include the backup generator as an emissions unit.

SECTION II: Conditions and Limitations

A. Operational and Emission Limitations

1. Kenyon Noble shall not cause or authorize to be discharged into the atmosphere from the portable concrete batch plant and general plant operations:

   a. Any vent emissions which exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304 and 17.8.752); and

   b. Any fugitive emissions from the facility including, but not limited to, emissions from truck loading and unloading operations or any material handling and transfer operations, which exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304, ARM 17.8.308, and ARM 17.8.752).

2. Kenyon Noble shall install, operate, and maintain a fabric filter dust collection system for the control of particulate matter emissions from the Johnson Ross Rustler 3 concrete batch plant (ARM 17.8.752).

3. Kenyon Noble shall install, operate, and maintain a fabric filter dust collection system for the control of particulate matter emissions from the cement storage truss/bin (ARM 17.8.752).

4. A warning device must be installed, operated, and maintained on the cement storage truss/bin to avoid overfilling and fabric filter damage (ARM 17.8.749).

5. 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.b (ARM 17.8.749).

6. Kenyon Noble 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).

7. Kenyon Noble 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.6 (ARM 17.8.749).

8. Kenyon shall not have on site more than one (1) diesel fired generator and may only use the generator as a backup source of electricity during periods when utility power is unavailable. The generator's maximum rated design capacity shall not exceed 150 horsepower (hp) and shall be limited to 500 hours of operation per year, to include operation and maintenance (ARM 17.8.749).

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

10. Kenyon Noble 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 Combustion Engines* and 40 CFR 63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*, for any applicable diesel engine (ARM 17.8.340; 40 CFR 60, Subpart IIII; ARM 17.8.342 and 40 CFR 63, Subpart ZZZZ).

B. Testing Requirements

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

2. The Department may require further 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 17.8.765).

2. Kenyon Noble 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 not be limited to, all sources of emissions identified in the emission inventory contained in the permit analysis.

   Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in the units required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

3. Kenyon Noble shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745, that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit. The notice must be submitted to the Department, in writing, 10 days prior to startup 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(l)(d) (ARM 17.8.745).

4. Kenyon Noble 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 Kenyon Noble as a permanent

business record for at least 5 years following the date of the measurement, must be available at the plant site for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).

5. Kenyon Noble shall inspect the fabric filter dust collection system and associated vents and collection systems, which are used for controlling emissions from the cement storage truss/bin and the batch plant, on an every 6 month of operation basis, to ensure that each dust collection system is operating in a manner to minimize emissions (ARM 17.8.749).

6. Kenyon Noble shall maintain on-site records of inspections, repairs, and maintenance conducted in accordance with Section II.C.5. All inspection records compiled in accordance with this permit shall be maintained by Kenyon Noble as a permanent business record for at least 5 years following the date of measurement, shall be submitted to the Department upon request, and shall be available at the plant for inspection by the Department (ARM 17.8.749).

7. Kenyon Noble shall document, by month, the hours of operation of the diesel engine/generator. By the 25th day of each month, Kenyon Noble shall total the hours of operation for the diesel engine/generator for the previous month. The monthly information will be used to demonstrate compliance with the rolling 12-month limitation in Section II.A.8. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

D. Notification

Kenyon Noble shall provide the Department with written notification of the actual start-up date of the portable concrete batch plant within 15 days after the actual startup date (ARM 17.8.749).

SECTION III: General Conditions

A. Inspection – Kenyon Noble shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment or observing any monitoring or testing, 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 Kenyon Noble fails to appeal as indicated below.

C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Kenyon Noble of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided for 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. Permit Fee – Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by Kenyon Noble may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.

H. Construction Commencement – Construction must be begin within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked (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. Kenyon Noble shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas that have a Department-approved permitting program.

Montana Air Quality Permit (MAQP) Analysis
Kenyon Noble Ready Mix, Inc.
MAQP #4065-01

I. Introduction/Process Description

A. Permitted Equipment

Kenyon Noble Ready Mix, Inc. (Kenyon Noble) owns and operates a portable cement/concrete ready-mix plant. The following list of permitted equipment is provided for reference, as portions of MAQP #4065-01 are written de minimis-friendly, whereby operational flexibility is provided so that alternate equipment may be utilized as long as maximum permitted capacities are not exceeded. Permitted equipment includes a Johnson Ross Rustler 3 cement batcher (12 cubic yard (yd^3) capacity), a cement truss/bin (55 ton per hour (ton/hr) capacity), an aggregate batcher (100 ton/hr capacity), an aggregate bin (100 ton/hr capacity), a Johnson Ross Rustler 3 fabric filter dust collection system, a Whisperwatt 125 backup generator powered by a 150-horsepower (hp) diesel engine, and associated material handling and processing equipment.

B. Source Description

For a typical operational set up, raw materials (concrete graded rock and sand) are loaded directly into two 20 ton overhead storage compartments. The materials are then weighed and dropped into a storage hopper via a transfer conveyor. The material is then conveyed to a mixer truck where water is added to the process. Cement from the truss/bin (55 ton capacity) is then delivered via auger to the mixer truck. Particulate emissions resulting from product loading activities are controlled by an air compressor-powered fabric filter dust collection with associated dust storage hopper. All facility operations are powered by electricity from land-line power provided by a power utility. A backup diesel generator is available for use in the event of a power outage when utility power is unavailable.

C. Permit History

On May 23, 2007, Kenyon Noble was issued **MAQP #4065-00** for the operation of a portable cement/concrete ready-mix plant.

D. Current Permit Action

On August 8, 2016, Kenyon Noble submitted a de minimis notification for the operation of a backup generator powered by a 150-hp diesel engine for use as a backup source of electricity during periods when utility power has become unavailable due to a power outage. In accordance with Department policy for backup generators, the maximum potential emissions were based on up to 500 hours per year of use for operation and maintenance. The Department approved the inclusion of the backup generator as a de minimis change. The current permit action updates the MAQP to include the backup generator as an emissions unit. **MAQP #4065-01** replaces MAQP #4065-00.

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 of Environmental Quality (Department). Upon request, the Department will provide references for location of complete copies of all applicable rules and regulations or copies where appropriate.

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

1. ARM 17.8.101 Definitions. This rule includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.

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

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

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

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than 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 that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

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

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM_{10}

Kenyon Noble must maintain compliance with the applicable ambient air quality standards.

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

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

2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of less than 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter (PM). (2) Under this rule, Kenyon Noble 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 17.8.310 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.

4. 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.

5. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR 60, Standards of Performance for New Stationary Sources (NSPS). This facility may be an NSPS-affected source because some of the equipment could meet the definition of an NSPS-affected emissions unit as defined in 40 CFR 60.

   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 IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (CI 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, and owners and operators of stationary CI ICE that modify or reconstruct their stationary CI ICE after July 11, 2005, are subject to this subpart. Based on the information submitted by Kenyon Noble, the CI ICE to be used under MAQP #4065-01 is a non-road CI ICE associated with a portable facility and therefore may not be subject to this regulation for stationary CI ICE. However, a non-road engine would

become regulated as a stationary engine if it remains or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. Therefore, this subpart would become applicable if Kenyon Noble operated the CI ICE at a single location for more than 12 months or a shorter period of time for an engine located at a seasonal source.

6. 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. This facility may be a NESHAP-affected source because some of the equipment could meet the definition of a NESHAP-affected emissions unit as defined in 40 CFR Part 63.

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

   b. 40 CFR 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants (HAPs) for Stationary Reciprocating Internal Combustion Engines (RICE). An owner or operator of a stationary RICE at a major or area source of HAP emissions is subject to this rule except if the stationary RICE is being tested at a stationary RICE test cell/stand. An area source of HAP emissions is a source that is not a major source. Based on the information submitted by Kenyon Noble, the RICE to be used under MAQP #4065-01 is a non-road RICE associated with a portable facility and therefore may not be subject to this regulation for stationary RICE. However, a non-road engine would become regulated as a stationary engine if it remains or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. Therefore, this subpart would become applicable if Kenyon Noble operated the RICE at a single location for more than 12 months or a shorter period of time for an engine located at a seasonal source.

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

1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. 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; the air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that 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 modification to construct, modify, or use any asphalt plant, crusher or screen that has the potential to emit (PTE) greater than 15 tons per year of any pollutant. Kenyon Noble has a PTE greater than 15 tons per year of PM and particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM_{10}); therefore, an air quality permit is required.

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

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

5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. (1) This rule requires that a permit application be submitted prior to installation, 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. The 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 Kenyon Noble 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 modified 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.

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

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

14. ARM 17.8.765 Transfer of Permit. (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. ARM 17.8, Subchapter 8 - Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.

2. ARM 17.8.818 Review of Major Stationary Sources and Major 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 FCAA that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source since it is not a listed source and the facility's PTE is less than 250 tons per year of any pollutant (excluding fugitive emissions).

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

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

   a. 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 lesser quantity as the Department may establish by rule, or

   c. PTE > 70 tons/year of PM_{10} in a serious PM_{10} nonattainment area.

2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #4065-01 for Kenyon Noble, the following conclusions were made:

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

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

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

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

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

   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.

Based on these facts, the Department has determined that Kenyon Noble is a minor source of emissions as defined under Title V; therefore, a Title V Operating Permit is not required for proposed operations.

III. BACT Determination

A BACT determination is required for each new or modified source. Kenyon Noble shall install on the new or modified source the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized.

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

IV. Emission Inventory

Particulate Matter Emissions	**tons/year**	
Emitting Unit/Process	**PM**	**PM_{10}**
Aggregate Delivery to Ground Storage	3.50	1.70
Sand Delivery to Ground Storage	0.82	0.38
Aggregate Transfer to Conveyor	3.50	1.70
Sand Transfer to Conveyor	0.82	0.38
Aggregate Transfer to Elevated Storage	3.50	1.70
Sand Transfer to Elevated Storage	0.82	0.38
Cement Delivery to Storage Silo	0.11	0.05
Cement Supplement Delivery to Storage Silo	0.16	0.11
Weigh Hopper Loading of Sand/Aggregate	4.33	2.08
Truck Loading (Truck Mix)	8.77	2.47
Haul Roads	12.68	3.60
150 hp Diesel Engine from Backup Generator	0.08	0.08
Total Emissions	39.09	14.63

Gaseous Emissions	**tons/year**			
Emitting Unit/Process	**NO_x**	**CO**	**VOC**	**SO_2**
150 hp Diesel Engine from Backup Generator	1.16	0.25	0.09	0.08

Emission Calculations

Aggregate delivery to ground storage

Process Rate: 125 yd^3/hr
Hours of operation: 8760 hr/yr

PM Emissions:
Emission Factor: 0.0064 lb/yd^3 (AP-42, Table 11.12-6, 6/06)
Calculations: 0.0064 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 3.50 ton/yr

PM_{10} Emissions:
Emission Factor: 0.0031 lb/yd^3 (AP-42, Table 11.12-6, 6/06)
Calculations: 0.0031 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 1.70 ton/yr

Sand delivery to ground storage

Process Rate: 125 yd^3/hr
Hours of operation: 8760 hr/yr

PM Emissions:

Emission Factor: 0.0015 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0015 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 0.82 ton/yr

PM_{10} Emissions:

Emission Factor: 0.0007 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0007 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 0.38 ton/yr

Aggregate transfer to conveyer

Process Rate: 125 yd^3/hr

Hours of operation: 8760 hr/yr

PM Emissions:

Emission Factor: 0.0064 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0064 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 3.50 ton/yr

PM_{10} Emissions:

Emission Factor: 0.0031 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0031 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 1.70 ton/yr

Sand transfer to conveyor

Process Rate: 125 yd^3/hr

Hours of operation: 8760 hr/yr

PM Emissions:

Emission Factor: 0.0015 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0015 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 0.82 ton/yr

PM_{10} Emissions:

Emission Factor: 0.0007 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0007 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 0.38 ton/yr

Aggregate transfer to elevated storage

Process Rate: 125 yd^3/hr

Hours of operation: 8760 hr/yr

PM Emissions:

Emission Factor: 0.0064 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0064 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 3.50 ton/yr

PM_{10} Emissions:

Emission Factor: 0.0031 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0031 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 1.70 ton/yr

Sand transfer to elevated storage

Process Rate: 125 yd^3/hr

Hours of operation: 8760 hr/yr

PM Emissions:

Emission Factor: 0.0015 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0015 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 0.82 ton/yr

PM_{10} Emissions:

Emission Factor: 0.0007 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0007 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 0.38 ton/yr

Cement delivery to truss/bin

Process Rate: 125 yd^3/hr

Hours of operation: 8760 hr/yr

PM Emissions:

Emission Factor: 0.0002 lb/yd^3 (AP-42, Table 11.12-6, 6/06)

Calculations: 0.0002 lb/yd^3 * 125 yd^3/hr * 8760 hr/yr * 0.0005 ton/lb = 0.11 ton/yr

PM_{10} Emissions:

Emission Factor:	0.0001 lb/yd³ (AP-42, Table 11.12-6, 6/06)	
Calculations:	0.0001 lb/yd³ * 125 yd³/hr * 8760 hr/yr * 0.0005 ton/lb =	0.05 ton/yr

Cement supplement delivery to truss/bin

Process Rate: 125 yd³/hr
Hours of operation: 8760 hr/yr

PM Emissions:

Emission Factor:	0.0003 lb/yd³ (AP-42, Table 11.12-6, 6/06)	
Calculations:	0.0003 lb/yd³ * 125 yd³/hr * 8760 hr/yr * 0.0005 ton/lb =	0.16 ton/yr

PM_{10} Emissions:

Emission Factor:	0.0002 lb/yd³ (AP-42, Table 11.12-6, 6/06)	
Calculations:	0.0002 lb/yd³ * 125 yd³/hr * 8760 hr/yr * 0.0005 ton/lb =	0.11 ton/yr

Weigh hopper loading of sand and aggregate

Process Rate: 125 yd³/hr
Hours of operation: 8760 hr/yr

PM Emissions:

Emission Factor:	0.0079 lb/yd³ (AP-42, Table 11.12-6, 6/06)	
Calculations:	0.0079 lb/yd³ * 125 yd³/hr * 8760 hr/yr * 0.0005 ton/lb =	4.33 ton/yr

PM_{10} Emissions:

Emission Factor:	0.0038 lb/yd³ (AP-42, Table 11.12-6, 6/06)	
Calculations:	0.0038 lb/yd³ * 125 yd³/hr * 8760 hr/yr * 0.0005 ton/lb =	2.08 ton/yr

Truck Loading (Truck Mix)

Process Rate: 125 yd³/hr
Hours of operation: 8760 hr/yr

PM Emissions:

Emission Factor:	0.282(0.0568) = 0.016 lb/yd³ (AP-42, Table 11.12-6, 6/06)	
Calculations:	0.016 lb/yd³ * 125 yd³/hr * 8760 hr/yr * 0.0005 ton/lb =	8.77 ton/yr

PM_{10} Emissions:

Emission Factor:	0.282(0.0160) = 0.005 lb/yd³ (AP-42, Table 11.12-6, 6/06)	
Calculations:	0.005 lb/yd³ * 125 yd³/hr * 8760 hr/yr * 0.0005 ton/lb =	2.47 ton/yr

Haul Roads

Vehicle miles traveled: 5 VMT/day {Estimated}
Assumption: Rated Load Capacity < 50 tons
Haul Road Use: 365 day/yr

PM Emissions:

Emission Factor:	13.90 lb/VMT (controlled) (AP-42 Section 13.2.2, 12/03)	
Calculations:	5.0 VMT/day * 13.90 lb/VMT =	69.50 lb/day
	69.50 lb/day * 365 day/yr * 0.0005 ton/lb =	12.68 ton/yr

PM_{10} Emissions:

Emission Factor:	3.95 lb/VMT (controlled) (AP-42 Section 13.2.2, 12/03)	
Calculations:	5 VMT/day * 3.95 lb/VMT =	19.75 lb/day
	19.75 lb/day * 365 day/yr * 0.0005 ton/lb =	3.60 ton/yr

Diesel Engine CALCULATED WITH AP-42

Note: Emissions are based on the power output of the engine (150 hp).

Operational Capacity of Engine = 150 hp
Hours of Operation = 500 hours

PM Emissions:
PM Emissions = 0.08 ton/yr (Assume PM = PM10)

PM-10 Emissions:
Emission Factor = 0.0022 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)
Calculation: (500 hours) * (150 hp) * (0.0022 lbs/hp-hr) * (ton/2000 lb) = 0.08 ton/yr

NOx Emissions:
Emission Factor = 0.031 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)
Calculation: (500 hours) * (150 hp) * (0.031 lbs/hp-hr) * (ton/2000 lb) = 1.16 ton/yr

CO Emissions:
Emission Factor = 0.00668 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)
Calculation: (500 hours) * (150 hp) * (0.00668 lbs/hp-hr) * (ton/2000 lb) = 0.25 ton/yr

TOC Emissions:
Emission Factor = 0.0025141 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)
Calculation: (500 hours) * (150 hp) * (0.0025141 lbs/hp-hr) * (ton/2000 lb) = 0.09 ton/yr

SOx Emissions:
Emission Factor = 0.00205 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)
Calculation: (500 hours) * (150 hp) * (0.00205 lbs/hp-hr) * (ton/2000 lb) = 0.077 ton/yr

V. Existing Air Quality

This permit is for a portable facility to be initially located in Section 32, Township 6 South, Range 4 East, in Gallatin County, Montana. Gallatin County, and in those areas for which this facility is permitted to operate, have been designated unclassified/attainment with all ambient air quality standards, and where there are no major air pollution sources in the surrounding area. MAQP #4065-01 applies to Kenyon Noble while operating at any location within Montana excluding those areas that have a Department-approved permitting program, areas considered tribal lands, or areas in or within 10 km of certain PM_{10} nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* In the view of the Department, the amount of controlled emissions generated by this facility will not exceed any set ambient standard while operating in any area classified as attainment or unclassified for the ambient air quality standards. An addendum to MAQP #4065-01 will be required for operating in locations in or within 10 km of certain PM_{10} nonattainment areas in Montana.

VI. Air Quality Impacts

The Department determined that there will be no impacts from this permitting action because this permitting action is considered an administrative action. Therefore, the Department believes this action will not cause or contribute to a violation of any ambient air quality standard.

VII. Ambient Air Impact Analysis

Based on the information provided and the conditions established in MAQP #4065-01, the Department determined that there will be no impacts from this administrative permitting action. The Department believes it will not cause or contribute to a violation of any ambient air quality standard.

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	
		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

This 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: Ed Warner
Date: September 7, 2016