



Montana Department of
ENVIRONMENTAL QUALITY

Brian Schweitzer, Governor

P. O. Box 200901

Helena, MT 59620-0901

(406) 444-2544

Website: www.deq.mt.gov

April 13, 2010

Sam Weyers – General Manager
Nelcon, Inc.
P.O. Box 5370
Kalispell, MT 59903

Dear Mr. Weyers:

Montana Air Quality Permit #4522-00 is deemed final as of April 13, 2010, by the Department of Environmental Quality (Department). This permit is for a portable drum mix asphalt plant. All conditions of the Department's Decision remain the same. Enclosed is a copy of your permit with the final date indicated.

For the Department,

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

Ed Warner
Environmental Engineer
Air Resources Management Bureau
(406) 444-2467

VW:EW
Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Montana Air Quality Permit #4522-00

Nelcon, Inc.
P.O. Box 5370
Kalispell, MT 59903

April 13, 2010



MONTANA AIR QUALITY PERMIT

Issued To: Nelcon, Inc.
P.O. Box 5370
Kalispell, MT 59903

MAQP: #4522-00
Application Complete: 1/29/10
Preliminary Determination Issued: 2/23/10
Department's Decision Issued: 3/26/10
Permit Final: 4/13/10
AFS #: 777-4522

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to Nelcon, Inc. (Nelcon) 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

Nelcon proposes to operate a portable drum mix asphalt plant at various locations throughout Montana. This permit allows Nelcon to operate a portable drum mix asphalt plant and associated equipment with a 250 tons per hour (TPH) capacity and two diesel-fired engine/generators with a combined capacity of up to 1,021 horsepower (hp). A complete list of the permitted equipment is contained in Section I.A of the Permit Analysis.

B. Plant Location

Nelcon will operate a portable drum mix asphalt plant which will initially be located in Section 29, Township 27 North, Range 3 West, in Pondera County, Montana. However, MAQP #4522-00 applies while operating at any location in Montana, except those areas having a Department of Environmental Quality – Air Resources Management Bureau (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 (PM₁₀) nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* An addendum will be required for locations in or within 10 km of certain PM₁₀ nonattainment areas.

Addendum #1 will apply to the Nelcon facility while operating at any location in or within 10 km of certain PM₁₀ nonattainment areas during the summer months (April 1 – September 30) and at sites approved by the Department during the winter months (October 1 – March 31).

SECTION II: Conditions and Limitations

A. Emission Limitations

1. Asphalt plant particulate matter emissions shall be limited to 0.04 grains per dry standard cubic feet (gr/dscf) (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).
2. Nelcon shall not cause or authorize to be discharged into the atmosphere from the asphalt plant stack any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.340 and 40 CFR 60, Subpart I).

3. Nelcon shall not cause or authorize to be discharged into the atmosphere from dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems, any visible emissions that exhibit opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).
4. Nelcon 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).
5. Nelcon 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.4 (ARM 17.8.749).
6. A device to measure the pressure drop (magnehelic gauge, manometer, etc.) on the control device (baghouse) must be installed and maintained. Pressure drop must be measured in inches of water. Temperature indicators at the control device inlet and outlet must be installed and maintained (ARM 17.8.749).
7. Once a stack test is performed, the asphalt production rate shall be limited to the average production rate during the last source test demonstrating compliance (ARM 17.8.749).
8. Hours of operation of the asphalt plant (including the engines/generators) shall be limited to 4,300 hours per rolling 12-month time period (ARM 17.8.749 and ARM 17.8.1204).
9. Asphalt production is limited to 1,075,000 tons per year during any rolling 12-month time period (ARM 17.8.749 and ARM 17.8.1204).
10. Nelcon shall not operate more than two diesel engine/generators at any given time and the engines shall not have a combined maximum capacity greater than 1,021 hp (ARM 17.8.749).
11. If the permitted equipment is used in conjunction with any other equipment owned or operated by Nelcon, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons of a pollutant during any rolling 12-month period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).
12. Nelcon shall comply with all applicable standards and limitations, and the reporting, recordkeeping, and notification requirements contained in 40 CFR 60, Subpart III, *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 III; ARM 17.8.342 and 40 CFR 63, 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) Methods 1-5 source test shall be performed on the asphalt plant to demonstrate compliance with Section II.A.1. An EPA Method 9 opacity test shall be performed in conjunction with all particulate tests to demonstrate compliance with the conditions specified in Sections II.A.2 and II.A.3. Testing shall continue on an every-four-year basis or according to another testing/monitoring schedule as may be approved by the Department (ARM 17.8.105 and ARM 17.8.749).
2. Since asphalt production will be limited to the average production rate during the compliance source test, it is suggested the test be performed at the highest production rate practical (ARM 17.8.749).
3. Pressure drop on the control device and temperature must be recorded daily and kept on site according to Section II.C.4 (ARM 17.8.749).
4. Pressure drop on the control device and temperatures must be recorded during the compliance source test and reported as part of the test results (ARM 17.8.749).
5. Nelcon may retest at any time in order to test at a higher production rate (ARM 17.8.749).
6. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
7. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this portable asphalt plant is moved to another 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. Nelcon 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. Nelcon shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745, that would include *the addition of a new emissions unit*, 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. 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. Nelcon shall maintain on-site records showing daily hours of operation, daily production rates, and daily pressure drop and temperature readings for the last 12 months. The records compiled in accordance with this permit shall be maintained by Nelcon 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. Nelcon shall document, by month, the hours of operation of the facility. By the 25th day of each month, Nelcon shall calculate the hours of operation of the facility for the previous month. The monthly information will be used to verify 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).
6. Nelcon shall document, by month, the asphalt production from the facility. By the 25th day of each month, Nelcon shall calculate the asphalt production from the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.9. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
7. Nelcon shall annually certify that its emissions are less than those that would require the facility to obtain an air quality operating permit as required by ARM 17.8.1204(3)(b). The annual certification shall comply with the certification requirements of ARM 17.8.1207. The annual certification shall be submitted along with the annual emissions inventory information (ARM 17.8.749 and ARM 17.8.1204).

D. Notification

1. Within 30 days of commencement of construction of any New Source Performance Standard (NSPS)-affected equipment, Nelcon shall notify the Department of the date of commencement of construction of the affected equipment (ARM 17.8.340 and 40 CFR 60, Subpart A and Subpart I).
2. Within 15 days of the actual start-up date of any NSPS-affected equipment, Nelcon shall submit written notification to the Department of the initial start-up date of the affected equipment (ARM 17.8.340 and 40 CFR 60, Subpart A and Subpart I).
3. Within 15 days of the actual start-up date of any non-NSPS-affected equipment, Nelcon shall submit written notification to the Department of the initial start-up date of the affected equipment (ARM 17.8.749).

SECTION III: Addendum

Nelcon shall comply with all conditions in Addendum #1 to MAQP #4522-00, as applicable (ARM 17.8.749).

SECTION IV: General Conditions

- A. Inspection – Nelcon 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 (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 Nelcon fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Nelcon 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, failure to pay the annual operation fee by Nelcon 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. Nelcon shall comply with the conditions contained in this permit while operating in any location in Montana, except areas considered tribal lands.

Permit Analysis
Nelcon, Inc.
Montana Air Quality Permit #4522-00

I. Introduction/Process Description

Nelcon, Inc. (Nelcon) owns and operates a portable drum mix asphalt plant and associated equipment.

A. Permitted Equipment

1. A portable drum mix asphalt plant and associated equipment with a maximum production capacity of 250 tons per hour (TPH).
2. Two diesel-fired engine/generators with a combined maximum capacity of up to 1,021 horsepower (hp).

B. Source Description

For a typical operational set-up, aggregate materials are taken from the on-site aggregate stockpiles and dumped via a front end loader into the cold aggregate feed bins. The cold aggregate is then transferred from the cold aggregate feed bins via conveyor to the drum mixer. The cold aggregate is dried and heated within the drum mixer which is fired with number 2 fuel oil and exhausts through the primary baghouse. Mineral filler and asphalt oil are then introduced into the drum mixer. Mineral filler is delivered from a lime storage guppy to the drum via an enclosed lime silo/feed auger system. Particulate emissions from the mineral filler storage and feeder system are routed to the primary baghouse. Asphalt oil is delivered through hoses from the portable hot oil heater tank. Once all the raw materials have been introduced into the drum mixer they are continuously mixed and heated by the drum mixer burner. A primary diesel-fired generator powers the operation. The hot oil heater tank uses its own smaller diesel-fired generator to provide electricity to the heating system.

After heating and mixing is completed, the asphalt product is transferred from the drum mixer to the asphalt product silo via a conveyor. The asphalt remains in the asphalt silo until it is loaded into trucks for transport to a given job location.

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).

Nelcon 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 17.8.221 Ambient Air Quality Standard for Visibility
6. ARM 17.8.223 Ambient Air Quality Standard for Particulate Matter with an Aerodynamic Diameter of 10 Microns or Less (PM₁₀)

Nelcon 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. (2) Under this rule, Nelcon shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.

4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this section.
6. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS). Nelcon is considered an NSPS affected facility under 40 CFR Part 60 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 I – Standards of Performance of Hot Mix Asphalt Facilities. In order for an asphalt plant to be subject to this subpart, the facility must meet the definition of an affected facility and, the affected equipment must have been constructed, reconstructed, or modified after August 31, 1983. Based on the information submitted by Nelcon, the asphalt plant equipment to be used under Montana Air Quality Permit (MAQP) #4522-00 is subject to this subpart because the facility is a hot mix asphalt facility.
 - c. 40 CFR 60, Subpart IIII - Standards of Performance for Stationary Compression Ignition (CI) Internal Combustion Engines (ICE). This subpart indicates that NSPS requirements apply to owners or operators of stationary CI ICEs that have a displacement of less than 30 liters per cylinder and are a model year 2007 or later and are not a fire pump engine. The generator engines listed in the Nelcon MAQP application would be affected sources as defined within this subpart. Since this permit is written in a de minimis friendly manner, this regulation may also apply to engines in the future.
7. ARM 17.8.342 Emission Standards for Hazardous Air Pollutants for Source Categories. The source, as defined and applied in 40 CFR Part 63, shall comply with the requirements of 40 CFR Part 63, as listed below.
 - a. 40 CFR 63, Subpart A – General Provisions apply to all equipment or facilities subject to a National Emission Standard for Hazardous Air Pollutants (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). As an area source of HAPs, the diesel RICEs will be subject to this rule. However, although diesel RICE engines are an affected source, per 40 CFR 63.6590(c) a diesel RICE located at an area source of HAPs may meet the requirements of this subpart by meeting requirements of 40 CFR 60, Subpart IIII which is discussed in Section II.C.6.c of this Permit Analysis.

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. Nelcon submitted the appropriate permit application fee for the current permit action.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department; 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. Nelcon has a PTE greater than 15 tons per year of particulate matter, nitrogen oxides, carbon monoxide, and volatile organic compounds; 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. Nelcon submitted the required permit application for the current permit action. (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. Nelcon submitted an affidavit of publication of public notice for the January 26, 2010, issue of the *Great Falls Tribune*, a newspaper of general circulation in the Town of Great Falls in Cascade County, as proof of compliance with the public notice requirements.
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 Nelcon 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 because 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 per year (TPY) of any pollutant;
 - b. PTE > 10 TPY of any one HAP, PTE > 25 TPY of a combination of all HAPs, or lesser quantity as the Department may establish by rule; or
 - c. PTE > 70 TPY of PM₁₀ in a serious PM₁₀ 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 MAQP #4522-00 for Nelcon, the following conclusions were made:
 - a. The facility's PTE is less than 100 TPY for any pollutant.
 - b. The facility's PTE is less than 10 TPY for any one HAP and less than 25 TPY of all HAPs.
 - c. This source is not located in a serious PM₁₀ nonattainment area.
 - d. This facility is subject to a current NSPS (40 CFR 60, Subpart I and Subpart IIII).
 - e. This facility is subject to area source provisions of a current NESHAP (40 CFR 63, Subpart ZZZZ).
 - f. This source is not a Title IV affected source or a solid waste combustion unit.
 - g. This source is not an EPA designated Title V source.
 - h. 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 by ARM 17.8.1204(3) shall contain certification by a responsible official of truth, accuracy, and completeness. 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.

Based on these facts, the Department has determined that Nelcon will be a minor source of emissions as defined under Title V because Nelcon requested to take federally enforceable limitations to keep them out of 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.

III. BACT Determination

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

A. Asphalt Drum Mixer

The Department reviewed relevant control options, as well as previous BACT determinations. The following control options were reviewed by the Department in order to make the following BACT determinations:

- Fabric Filter Baghouse
- Electrostatic Precipitator
- Cyclone
- Wet Scrubber

All of the listed technologies are deemed technically feasible for this application. Technical feasible control options, in order the highest control efficiency to the lowest control efficiency base on PM control are as follows:

1. Fabric Filter Baghouse (99 – 99.9% efficient) (EPA Fact Sheet EPA-452/F-03-025, 07/15/03)
2. Electrostatic Precipitator (99 – 99.9% efficient) (EPA Fact Sheet EPA-452/F-03-025, 07/15/03)
3. Cyclone (up to 99% efficient) (EPA Fact Sheet EPA-452/F-03-005, 07/15/03)
4. Wet Scrubber (up to 99% efficient) (EPA Fact Sheet EPA-452/F-03-0010, 07/15/03)

Nelcon has proposed to use a fabric filter baghouse for the control of PM from the exhaust of the asphalt drum mixer. Because Nelcon proposes to use a control technology that is equivalent to the highest control efficiency, no further economic analysis is needed. The

control option selected has control technology and a control cost comparable to other recently permitted similar sources and is capable of achieving the appropriate emissions standards. All asphalt drum mixer emissions are limited to 0.04 grains per dry standard cubic foot (gr/dscf) for particulate and 20 percent opacity.

Further, Nelcon must take reasonable precautions to limit the fugitive emissions of airborne particulate matter on haul roads, access roads, parking lots, and the general plant area. Reasonable precautions include treating 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. Operating and maintaining a baghouse to meet the corresponding emission limitations in Section I.A of the permit and using water and/or chemical dust suppressant to comply with the reasonable precautions limitation will constitute BACT for the Nelcon facility.

B. Diesel Generators

Due to the limited amount of emissions produced by the diesel engines and the lack of readily available, cost effective add-on controls; add-on controls would be cost prohibitive. Therefore, the Department determined proper operation and maintenance with no add-on controls would constitute BACT for the diesel engines.

In addition, any new diesel engine would be required to comply with the federal engine emission limitations including either EPA Tier 2 emission standards for non-road engines (40 CFR Part 1039) or New Source Performance Standard emission limitations for stationary compression ignition engines (40 CFR 60, Subpart IIII).

The control options selected contain control equipment and control costs comparable to other recently permitted similar sources and are capable of achieving the appropriate emission standards.

IV. Emission Inventory

Emission Source	TPY						
	PM	PM ₁₀	PM _{2.5}	NO _x	CO	VOC	SO ₂
Cold Aggregate Storage Piles	1.78	0.84	0.13	--	--	--	--
Cold Aggregate Handling/Conveyors	0.15	0.05	0.01	--	--	--	--
250 TPH Drum Mix Asphalt Plant Dryer	29.38	19.90	14.41	29.56	69.88	17.20	5.91
Asphalt Product Silo Filling	0.31	0.31	0.31	--	0.63	6.55	--
Plant Load-Out	0.28	0.28	0.28	--	0.73	2.10	--
Haul Roads / Vehicle Traffic	2.79	0.77	0.08	--	--	--	--
986 hp Diesel Engine Main Generator	4.66	4.66	4.66	65.72	14.16	5.33	4.35
35 hp Diesel Engine: Asphalt Oil Heater	0.17	0.17	0.17	2.33	0.50	0.19	0.15
Total Emissions	39.52	26.99	20.05	97.61	85.90	31.37	10.41

NOTES:

PM_{2.5} Particulate matter with an aerodynamic diameter of 2.5 microns or less

NO_x Nitrogen oxides

CO Carbon monoxide

VOC Volatile organic compounds

SO₂ Sulfur dioxide

PM, PM₁₀, and PM_{2.5} emissions presented in the table represent the sum of the filterable and condensable particulate matter (CPM) fractions. All CPM is considered to be PM_{2.5}.

Hours of operation are restricted to 4,400 hours per year by federally enforceable permit conditions to limit the potential emissions below the major source threshold.

Maximum Process Rate = 250 ton/hr (Maximum plant process rate)

Maximum Hours of Operation = 4,300 hrs/yr

Maximum Annual Production = 1,075,000 TPY

Operating Parameters:

Plant Elevation:	3800	ft.	(estimate)
Actual Pressure:	26.12	in. Hg	(estimate)
Standard Pressure:	29.92	in. Hg	
Actual Flowrate (V2):	45,000	acfm	(Company Information)
Standard Temp:	68	F	(528 R)
Assumed Stack Temp.	250	F	(710 R)
Standard Volumetric Flowrate Correction:	$V1 = V2 (P2/P1) (T1/T2)$		
Standard Volumetric Flowrate:	$V1=45000 \text{ acfm} * (26.12 \text{ in. Hg} / 29.92 \text{ in. Hg}) * (528 \text{ R} / 710 \text{ R})$		
Standard Volumetric Flowrate (V1):	29,215	scfm	
Stack Gas Moisture Content (M):	12	%	(estimate)
Dry Standard Volumetric Flowrate:	$=V1*(1 - M/100) = 29,215 \text{ scfm} * (1 - 12/100)$		
Dry Standard Volumetric Flowrate:	25,709	dscfm	

Cold Aggregate Storage Piles

Filterable PM Emissions:

Predictive equation for emission factor provided per AP 42, Sec. 13.2.4.3, 11/06.

Emission Factor = $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} = 0.00331 \text{ lb/ton}$

Where: k = particle size multiplier = 0.74 (Value for PM < 30 microns per AP 42, Sec. 13.2.4.3, 11/06)
U = mean wind speed = 10 mph (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)
M = material moisture content = 3% (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00331 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ piles}) = 1.78 \text{ ton/yr}$

Filterable PM₁₀ Emissions:

Predictive equation for emission factor provided per AP 42, Sec. 13.2.4.3, 11/06.

Emission Factor = $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} = 0.00156 \text{ lb/ton}$

Where: k = particle size multiplier = 0.35 (Value for PM < 10 microns per AP 42, Sec. 13.2.4.3, 11/06)
U = mean wind speed = 10 mph (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)
M = material moisture content = 3% (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00156 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ piles}) = 0.84 \text{ ton/yr}$

Filterable PM_{2.5} Emissions:

Predictive equation for emission factor provided per AP 42, Sec. 13.2.4.3, 11/06.

Emission Factor = $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} = 0.00024 \text{ lb/ton}$

Where: k = particle size multiplier = 0.053 (Value for PM < 2.5 microns per AP 42, Sec. 13.2.4.3, 11/06)
U = mean wind speed = 10 mph (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)
M = material moisture content = 3% (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00024 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ piles}) = 0.13 \text{ ton/yr}$

Cold Aggregate Handling/Conveyors

Filterable PM Emissions:

Emission Factor = 0.00014 lb/ton (0.0030 uncontrolled, 0.00014 controlled, AP 42, Table 11.19.2-2, 8/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00014 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (2 \text{ transfer}) = 0.15 \text{ ton/yr}$

Filterable PM₁₀ Emissions:

Emission Factor = 0.000046 lb/ton (0.00110 uncontrolled, 0.000046 controlled, AP 42, Table 11.19.2-2, 8/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.000046 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (2 \text{ transfer}) = 0.05 \text{ ton/yr}$

Filterable PM_{2.5} Emissions:

Emission Factor = 0.000013 lb/ton (0.000013 controlled, AP 42, Table 11.19.2-2, 8/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.000013 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (2 \text{ transfer}) = 0.01 \text{ ton/yr}$

250 TPH Asphalt Drum Mix Dryer

Filterable PM Emissions:

Emission Factor = 0.04 gr/dscf (permit limit)

Calculation: $(0.04 \text{ gr/dscf}) * (25,709 \text{ dscfm}) * (1 \text{ lb} / 7000 \text{ gr}) * (60 \text{ min/hr}) = 8.81 \text{ lb/hr}$

Calculation: $(8.81 \text{ lb/hr}) * (4300 \text{ hrs/yr}) * (0.0005 \text{ ton/lb}) = 18.95 \text{ ton/yr}$

Filterable PM₁₀ Emissions:

Emission Factor = 0.02 gr/dscf (permit limit, assume 50% of TSP is PM10, Department policy)

Calculation: $(0.02 \text{ gr/dscf}) * (25,709 \text{ dscfm}) * (1 \text{ lb} / 7000 \text{ gr}) * (60 \text{ min/hr}) = 4.41 \text{ lb/hr}$

Calculation: $(4.41 \text{ lb/hr}) * (4300 \text{ hrs/yr}) * (0.0005 \text{ ton/lb}) = 9.48 \text{ ton/yr}$

Filterable PM_{2.5} Emissions:

Emission Factor = 0.0084 gr/dscf (permit limit, assume 21% of TSP is PM2.5, AP 42, Table 11.1-4, 3/04)

Calculation: $(0.0084 \text{ gr/dscf}) * (25,709 \text{ dscfm}) * (1 \text{ lb} / 7000 \text{ gr}) * (60 \text{ min/hr}) = 1.85 \text{ lb/hr}$

Calculation: $(1.85 \text{ lb/hr}) * (4300 \text{ hrs/yr}) * (0.0005 \text{ ton/lb}) = 3.98 \text{ ton/yr}$

Condensable PM_{2.5} Emissions:

Emission Factor = 0.0194 lb/ton (fabric filter, AP 42, Table 11.1-3, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.0194 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 10.43 \text{ ton/yr}$

CO Emissions:

Emission Factor = 0.13 lb/ton (#2 fuel oil-fired dryer, AP 42, Table 11.1-7, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.13 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 69.88 \text{ ton/yr}$

NO_x Emissions:

Emission Factor = 0.055 lb/ton (#2 fuel oil-fired dryer, AP 42, Table 11.1-7, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.055 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 29.56 \text{ ton/yr}$

SO₂ Emissions:

Emission Factor = 0.011 lb/ton (#2 fuel oil-fired dryer, AP 42, Table 11.1-7, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.011 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 5.91 \text{ ton/yr}$

VOC Emissions:

Emission Factor = 0.032 lb/ton (#2 fuel oil-fired dryer, AP 42, Table 11.1-8, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.032 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 17.20 \text{ ton/yr}$

Total HAPs Emissions:

Emission Factor = 0.0087 lb/ton (#2 fuel oil-fired dryer with fabric filter, AP 42, Table 11.1-10, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.0087 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 4.68 \text{ ton/yr}$

Asphalt Product Silo Filling

Filterable PM_{2.5} Emissions (Filterable = Total - Organic fraction, all PM < 2.5mm):

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.000332 + 0.00105(-V)e^{((0.0251)(T + 460) - 20.43)} - 0.00025 = 0.00033 \text{ lb/ton}$

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00033 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 0.18 \text{ ton/yr}$

Condensable PM_{2.5} Emissions (Organic PM = CPM):

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.00105(-V)e^{((0.0251)(T + 460) - 20.43)} = 0.00025 \text{ lb/ton}$

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00025 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 0.14 \text{ ton/yr}$

VOC Emissions:

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.0504(-V)e^{((0.0251)(T + 460) - 20.43)} = 0.01219$ lb/ton

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.01219 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 6.55 \text{ ton/yr}$

CO Emissions:

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.00488(-V)e^{((0.0251)(T + 460) - 20.43)} = 0.00118$ lb/ton

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00118 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 0.63 \text{ ton/yr}$

*Plant Load Out***Filterable PM_{2.5} Emissions (Filterable = Total - Organic fraction, all PM < 2.5mm):**

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.000181 + 0.00141(-V)e^{((0.0251)(T + 460) - 20.43)} - 0.00034 = 0.00018$ lb/ton

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00018 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 0.10 \text{ ton/yr}$

Condensable PM_{2.5} Emissions (Organic PM = CPM):

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.00141(-V)e^{((0.0251)(T + 460) - 20.43)} = 0.00034$ lb/ton

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00034 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 0.18 \text{ ton/yr}$

VOC Emissions (VOC = 94% * TOC, AP-42, Table 11.1-16, 3/04):

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.0172(-V)e^{((0.0251)(T + 460) - 20.43)} * 94\% = 0.00391$ lb/ton

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00391 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 2.10 \text{ ton/yr}$

CO Emissions:

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.00558(-V)e^{((0.0251)(T + 460) - 20.43)} = 0.00135$ lb/ton

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: $(250 \text{ ton/hr}) * (4300 \text{ hrs/yr}) * (0.00135 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 0.73 \text{ ton/yr}$

Haul Roads/Vehicle Traffic

Vehicle Miles Traveled (VMT) per Day = 5 VMT/day (Estimate)

VMT per hour = $(5 \text{ VMT/day}) * (\text{day}/24 \text{ hrs}) = 0.21 \text{ VMT/hr}$

PM Emissions:

Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.

Emission Factor = $k * (s / 12)^a * (W / 3)^b = 12.46$ lb/VMT

Where: k = constant = 4.9 lbs/VMT (Value for PM₃₀/TSP, AP 42, Table 13.2.2-2, 11/06)

s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)

W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)

a = constant = 0.7 (Value for PM₃₀/TSP, AP 42, Table 13.2.2-2, 11/06)

b = constant = 0.45 (Value for PM₃₀/TSP, AP 42, Table 13.2.2-2, 11/06)

Control Efficiency = 50% (Water spray or chemical dust suppressant)

Calculation: $(4300 \text{ hrs/yr}) * (0.21 \text{ VMT/hr}) * (12.46 \text{ lb/VMT}) * (\text{ton}/2000 \text{ lb}) = 5.58 \text{ tons/yr}$ (Uncontrolled Emissions)

Calculation: $(4300 \text{ hrs/yr}) * (0.21 \text{ VMT/hr}) * (12.46 \text{ lb/VMT}) * (\text{ton}/2000 \text{ lb}) * (1-50/100) = 2.79 \text{ tons/yr}$ (Apply 50% control efficiency)

PM₁₀ Emissions:

Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.

Emission Factor = $k * (s / 12)^a * (W / 3)^b = 3.43 \text{ lb/VMT}$

Where: $k = \text{constant} = 1.5 \text{ lbs/VMT}$ (Value for PM₁₀, AP 42, Table 13.2.2-2, 11/06)
 $s = \text{surface silt content} = 7.1 \%$ (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)
 $W = \text{mean vehicle weight} = 54 \text{ tons}$ (1994 average loaded/unloaded or a 40 ton truck)
 $a = \text{constant} = 0.9$ (Value for PM₁₀, AP 42, Table 13.2.2-2, 11/06)
 $b = \text{constant} = 0.45$ (Value for PM₁₀, AP 42, Table 13.2.2-2, 11/06)

Control Efficiency = 50% (Water spray or chemical dust suppressant)

Calculation: $(4300 \text{ hrs/yr}) * (0.21 \text{ VMT/hr}) * (3.43 \text{ lb/VMT}) * (\text{ton}/2000 \text{ lb}) = 1.54 \text{ tons/yr}$ (Uncontrolled Emissions)

Calculation: $(4300 \text{ hrs/yr}) * (0.21 \text{ VMT/hr}) * (3.43 \text{ lb/VMT}) * (\text{ton}/2000 \text{ lb}) * (1-50/100) = 0.77 \text{ tons/yr}$ (Apply 50% control efficiency)

PM_{2.5} Emissions:

Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.

Emission Factor = $k * (s / 12)^a * (W / 3)^b = 0.34 \text{ lb/VMT}$

Where: $k = \text{constant} = 0.15 \text{ lbs/VMT}$ (Value for PM_{2.5}, AP 42, Table 13.2.2-2, 11/06)
 $s = \text{surface silt content} = 7.1 \%$ (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)
 $W = \text{mean vehicle weight} = 54 \text{ tons}$ (1994 average loaded/unloaded or a 40 ton truck)
 $a = \text{constant} = 0.9$ (Value for PM_{2.5}, AP 42, Table 13.2.2-2, 11/06)
 $b = \text{constant} = 0.45$ (Value for PM_{2.5}, AP 42, Table 13.2.2-2, 11/06)

Control Efficiency = 50% (Water spray or chemical dust suppressant)

Calculation: $(4300 \text{ hrs/yr}) * (0.21 \text{ VMT/hr}) * (0.34 \text{ lb/VMT}) * (\text{ton}/2000 \text{ lb}) = 0.15 \text{ tons/yr}$ (Uncontrolled Emissions)

Calculation: $(4300 \text{ hrs/yr}) * (0.21 \text{ VMT/hr}) * (0.34 \text{ lb/VMT}) * (\text{ton}/2000 \text{ lb}) * (1-50/100) = 0.08 \text{ tons/yr}$ (Apply 50% control efficiency)

*986 hp Diesel Engine Main Generator***Total PM/PM₁₀/PM_{2.5} Emissions:**

Emission Factor = 0.0022 lbs/hp-hr (All PM < 1 micron, AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: $(4,300 \text{ hours}) * (986 \text{ hp}) * (0.0022 \text{ lbs/hp-hr}) * (\text{ton}/2000 \text{ lb}) = 4.66 \text{ ton/yr}$

NO_x Emissions:

Emission Factor = 0.031 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: $(4,300 \text{ hours}) * (986 \text{ hp}) * (0.031 \text{ lbs/hp-hr}) * (\text{ton}/2000 \text{ lb}) = 65.72 \text{ ton/yr}$

CO Emissions:

Emission Factor = 0.00668 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: $(4,300 \text{ hours}) * (986 \text{ hp}) * (0.00668 \text{ lbs/hp-hr}) * (\text{ton}/2000 \text{ lb}) = 14.16 \text{ ton/yr}$

VOC Emissions:

Emission Factor = 0.0025141 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, TOC, Exhaust & Crankcase, 10/96)

Calculation: $(4,300 \text{ hours}) * (986 \text{ hp}) * (0.0025141 \text{ lbs/hp-hr}) * (\text{ton}/2000 \text{ lb}) = 5.33 \text{ ton/yr}$

SO₂ Emissions:

Emission Factor = 0.00205 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: $(4,300 \text{ hours}) * (986 \text{ hp}) * (0.00205 \text{ lbs/hp-hr}) * (\text{ton}/2000 \text{ lb}) = 4.346 \text{ ton/yr}$

*36 hp Diesel Engine Asphalt Oil Heater***Total PM/PM₁₀/PM_{2.5} Emissions:**

Emission Factor = 0.0022 lbs/hp-hr (All PM < 1 micron, AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: $(4,300 \text{ hours}) * (35 \text{ hp}) * (0.0022 \text{ lbs/hp-hr}) * (\text{ton}/2000 \text{ lb}) = 0.17 \text{ ton/yr}$

NO_x Emissions:

Emission Factor = 0.031 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)
Calculation: (4,300 hours) * (35 hp) * (0.031 lbs/hp-hr) * (ton/2000 lb) = 2.33 ton/yr

CO Emissions:

Emission Factor = 0.00668 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)
Calculation: (4,300 hours) * (35 hp) * (0.00668 lbs/hp-hr) * (ton/2000 lb) = 0.50 ton/yr

VOC Emissions:

Emission Factor = 0.0025141 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, TOC, Exhaust & Crankcase, 10/96)
Calculation: (4,300 hours) * (35 hp) * (0.0025141 lbs/hp-hr) * (ton/2000 lb) = 0.19 ton/yr

SO₂ Emissions:

Emission Factor = 0.00205 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)
Calculation: (4,300 hours) * (35 hp) * (0.00205 lbs/hp-hr) * (ton/2000 lb) = 0.15 ton/yr

V. Air Quality Impacts

MAQP #4522-00 covers operation of this portable drum mix asphalt plant while operating in areas within Montana that are classified as being in attainment with federal ambient air quality standards and areas not yet classified, excluding counties that have a Department-approved permitting program and areas that are tribal lands. This permit contains conditions and limitations that would protect air quality for the site and surrounding area, and that would limit the facility’s emissions below the major source threshold. Based on the information provided, the amount of controlled emissions generated by this facility will not exceed any ambient air quality standard.

VI. Ambient Air Impact Analysis

The Department determined, based on ambient air modeling, that the impact from this permitting action will be minor. The Department believes it will not cause or contribute to a violation of any ambient air quality standard.

VII. 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)

YES	NO	
	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

An environmental assessment, required by the Montana Environmental Policy Act, was completed for this project. A copy is attached.

Addendum 1
Nelcon, Inc.
Montana Air Quality Permit #4522-00

An addendum to Montana Air Quality Permit (MAQP) #4522-00 is hereby granted to Nelcon, Inc. (Nelcon) 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:

Nelcon owns and operates a portable drum mix asphalt plant and associated equipment with a maximum production capacity of 250 tons per hour (TPH) and two diesel-fired engine/generators with a combined maximum capacity of up to 1,021 horsepower (hp).

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

Addendum 1 applies to the Nelcon 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 (PM₁₀) nonattainment areas. Additionally, seasonal and site restrictions apply to the facility as follows:

- A. During the winter season (October 1-March 31) - The only location in or within 10 km of a PM₁₀ nonattainment area where Nelcon may operate is:
 - 1. Kalispell home pit – Sections 35 and 36, Township 30 North, Range 21 West; and
 - 2. Any other site that may be approved, in writing, by the Department of Environmental Quality (Department).
- B. During the summer season (April 1-September 30) – Nelcon may operate at any location in or within 10 km of the Butte, Columbia Falls, Kalispell, Libby, Thompson Falls, and Whitefish PM₁₀ nonattainment areas.
- C. Nelcon shall comply with the limitations and conditions contained in Addendum 1 to MAQP #4522-00 while operating in or within 10 km of any of the previously identified PM₁₀ nonattainment areas. Addendum 1 shall be valid until revoked or modified. The Department reserves the authority to modify Addendum 1 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 – Winter and Summer Seasons
 - 1. Asphalt plant particulate matter emissions shall be limited to 0.04 grains per dry standard cubic feet (gr/dscf) (ARM 17.8.340, ARM 17.8.752, and 40 Code of Federal Regulations (CFR) 60, Subpart I).
 - 2. Nelcon shall not cause or authorize to be discharged into the atmosphere from the asphalt plant stack any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).
 - 3. Nelcon shall not cause or authorize to be discharged into the atmosphere from any equipment, such as screens or transfer points, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).

4. Nelcon 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).
5. Nelcon 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).
6. During the Winter Season, Nelcon shall only operate a primary diesel engine/generator that is subject to and compliant with 40 CFR 60, Subpart III – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. As per 40 CFR 60, Subpart III, a 2007 model year or later non-emergency stationary diesel engine with a maximum capacity of over 750 hp must be in certified compliance with Environmental Protection Agency (EPA) nonroad diesel Tier 2 emission standards (ARM 17.8.749 and 40 CFR 60, Subpart III).
7. During the Summer Season, total asphalt production shall not exceed 6,000 tons per day (ARM 17.8.749).
8. During the Winter Season, total asphalt production shall not exceed 1,750 tons per day (ARM 17.8.749).
9. During the Winter Season, Nelcon shall not operate the permitted equipment for more than seven (7) hours per day (ARM 17.8.749).

B. Operational Reporting Requirements

1. If this portable asphalt 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. Tons of asphalt produced at each site,
 - b. Daily hours of operation at each site,
 - c. Hours of operation and sizes for each generator at each site, and
 - d. Fugitive dust information consisting of the total miles driven on unpaved roads for all plant vehicles.
3. Nelcon shall document, by day, the total asphalt production. Nelcon shall sum the total asphalt production for the previous day to verify compliance with the limitations in Section III.A.7 for summer operation and Section III.A.8 for winter operation. A written report of compliance and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted and may be submitted along with the annual emissions inventory (ARM 17.8.749).

4. Nelcon shall document, by day, the total hours of operation. Nelcon shall sum the total hours of operation for the previous day to verify compliance with the limitation in Section III.A.9 during winter operation. A written report of compliance and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted and may be submitted along with the annual emissions inventory (ARM 17.8.749).
5. During the Winter Season, Nelcon shall have available onsite at all times documentation for the primary diesel engine/generator that verifies its compliance with EPA nonroad diesel engine emission standards as described in Section III.A.6 (ARM 17.8.749).

Addendum 1 Analysis
Nelcon, Inc.
Montana Air Quality Permit #4522-00

I. Permitted Equipment

Nelcon, Inc. (Nelcon) owns and operates a portable drum mix asphalt plant and associated equipment with a maximum production capacity of 250 tons per hour (TPH) and two diesel-fired engine/generators with a combined maximum capacity of up to 1,021 horsepower (hp).

II. Source Description

Nelcon uses this portable asphalt plant to produce asphalt for use in various construction operations. For a typical operational set-up, aggregate materials are taken from the on-site aggregate stockpiles and dumped via a front end loader into the cold aggregate feed bins. The cold aggregate is then transferred from the cold aggregate feed bins via conveyor to the drum mixer. The cold aggregate is dried and heated within the drum mixer which is fired with number 2 fuel oil and exhausts through the primary baghouse. Mineral filler and asphalt oil are then introduced into the drum mixer. Mineral filler is delivered from a lime storage guppy to the drum via an enclosed lime silo/feed auger system. Particulate emissions from the mineral filler storage and feeder system are routed to the primary baghouse. Asphalt oil is delivered through hoses from the portable hot oil heater tank. Once all the raw materials have been introduced into the drum mixer they are continuously mixed and heated by the drum mixer burner. A primary diesel-fired generator powers the operation. The hot oil heater tank uses its own smaller diesel-fired generator to provide electricity to the heating system.

After heating and mixing is completed, the asphalt product is transferred from the drum mixer to the asphalt product silo via a conveyor. The asphalt remains in the asphalt silo until it is loaded into trucks for transport to a given job location.

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

Summer Season (Unrestricted)*

Emission Source	pounds/day						
	PM**	PM ₁₀ **	PM _{2.5} **	NO _x	CO	VOC	SO ₂
Cold Aggregate Storage Piles	19.83	9.38	1.42	--	--	--	--
Cold Aggregate Handling/Conveyors	1.68	0.55	0.16	--	--	--	--
250 TPH Drum Mix Asphalt Plant Dryer	327.95	222.17	160.83	330.00	780.00	192.00	66.00
Asphalt Product Silo Filling	3.52	3.52	3.52	--	7.08	73.12	--
Batch Mix Plant Load-Out	3.13	3.13	3.13	--	8.10	23.46	--
Haul Roads / Vehicle Traffic	31.15	8.59	0.86	--	--	--	--
986 hp Diesel Engine Main Generator	52.06	52.06	52.06	733.58	158.08	59.49	48.51
36 hp Diesel Engine: Asphalt Oil Heater	1.90	1.90	1.90	26.78	5.77	2.17	1.77
Total Emissions	441.22	301.30	223.87	1090.37	959.17	350.24	116.28

NOTES:

* Daily hours of operation are unrestricted during the Summer Season because PM₁₀ emissions are less than 547 pounds per day.

** PM, PM₁₀, and PM_{2.5} emissions presented in the table represent the sum of the filterable and condensable particulate matter (CPM) fractions. All CPM is considered to be PM_{2.5}.

PM Particulate Matter

PM₁₀ PM with an aerodynamic diameter of 10 microns or less

PM_{2.5} PM with an aerodynamic diameter of 2.5 microns or less

NO_x Nitrogen oxides

CO Carbon monoxide

VOC Volatile organic compounds

SO₂ Sulfur dioxide

Winter Season (Daily Hours of Operation Restricted to Seven Hours/Day)*

Emission Source	pounds/day						
	PM**	PM ₁₀ **	PM _{2.5} **	NO _x	CO	VOC	SO ₂
Cold Aggregate Storage Piles	5.78	2.74	0.41	--	--	--	--
Cold Aggregate Handling/Conveyors	0.49	0.16	0.05	--	--	--	--
250 TPH Drum Mix Asphalt Plant Dryer	95.65	64.80	46.91	96.25	227.50	56.00	19.25
Asphalt Product Silo Filling	1.03	1.03	1.03	--	2.06	21.33	--
Batch Mix Plant Load-Out	0.91	0.91	0.91	--	2.36	6.84	--
Haul Roads / Vehicle Traffic	9.09	2.50	0.25	--	--	--	--
986 hp Diesel Engine Main Generator	2.28	2.28	2.28	213.96	46.11	17.35	14.15
36 hp Diesel Engine: Asphalt Oil Heater	0.55	0.55	0.55	7.81	1.68	0.63	0.52
Total Emissions	115.79	74.98	52.40	318.02	279.76	102.15	33.92

NOTES:

* Daily Hours of operation are restricted to seven hours/day during the Winter Season to restrict potential PM₁₀ emissions to less than 82 pounds per day and to not exceed a modeled ambient air impact of 5 micrograms per cubic meter for a 24-hour period.

** PM, PM₁₀, and PM_{2.5} emissions presented in the table represent the sum of the filterable and condensable particulate matter (CPM) fractions. All CPM is considered to be PM_{2.5}.

Maximum Process Rate = 250 ton/hr (Maximum plant process rate)

Maximum Daily Hours of Operation for Summer Season = 24 hrs/day (unrestricted)

Maximum Daily Production for Summer Season = 6,000 tons/day

Maximum Daily Hours of Operation for Winter Season = 7 hrs/day

Maximum Daily Production for Winter Season = 1,750 tons/day

Operating Parameters:

Plant Elevation: 3800 ft. (estimate)
 Actual Pressure: 26.12 in. Hg (estimate)
 Standard Pressure: 29.92 in. Hg
 Actual Flowrate (V2): 45,000 acfm (Company Information)
 Standard Temp: 68 F (528 R)
 Assumed Stack Temp. 250 F (710 R)
 Standard Volumetric Flowrate V1 = V2 (P2/P1) (T1/T2)
 Correction:
 Standard Volumetric Flowrate: V1=45000 acfm * (26.12 in. Hg / 29.92 in. Hg) * (528 R / 710 R)
 Standard Volumetric Flowrate (V1): 29,215 scfm
 Stack Gas Moisture Content (M): 12 % (estimate)
 Dry Standard Volumetric Flowrate: =V1*(1 - M/100) = 29,215 scfm * (1 - 12/100)
 Dry Standard Volumetric Flowrate: 25,709 dscfm

Cold Aggregate Storage Piles

Filterable PM Emissions:

Predictive equation for emission factor provided per AP 42, Sec. 13.2.4.3, 11/06.

Emission Factor = k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} = 0.00331 lb/ton

Where: k = particle size multiplier = 0.74 (Value for PM < 30 microns per AP 42, Sec. 13.2.4.3, 11/06)

U = mean wind speed = 10 mph (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)

M = material moisture content = 3% (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)

Calculation: (250 ton/hr) * (24 hrs/day) * (0.00331 lb/ton) * (1 piles) = 19.83 lb/day (Summer hours)

Calculation: (250 ton/hr) * (7 hrs/day) * (0.00331 lb/ton) * (1 piles) = 5.78 lb/day (Winter hours)

Filterable PM₁₀ Emissions:

Predictive equation for emission factor provided per AP 42, Sec. 13.2.4.3, 11/06.

Emission Factor = $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} = 0.00156 \text{ lb/ton}$

Where: k = particle size multiplier = 0.35 (Value for PM < 10 microns per AP 42, Sec. 13.2.4.3, 11/06)
 U = mean wind speed = 10 mph (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)
 M = material moisture content = 3% (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)

Calculation: $(250 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00156 \text{ lb/ton}) * (1 \text{ piles}) = 9.38 \text{ lb/day}$ (Summer hours)

Calculation: $(250 \text{ ton/hr}) * (7 \text{ hrs/day}) * (0.00156 \text{ lb/ton}) * (1 \text{ piles}) = 2.74 \text{ lb/day}$ (Winter hours)

Filterable PM_{2.5} Emissions:

Predictive equation for emission factor provided per AP 42, Sec. 13.2.4.3, 11/06.

Emission Factor = $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} = 0.00024 \text{ lb/ton}$

Where: k = particle size multiplier = 0.053 (Value for PM < 2.5 microns per AP 42, Sec. 13.2.4.3, 11/06)
 U = mean wind speed = 10 mph (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)
 M = material moisture content = 3% (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06)

Calculation: $(250 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00024 \text{ lb/ton}) * (1 \text{ piles}) = 1.42 \text{ lb/day}$ (Summer hours)

Calculation: $(250 \text{ ton/hr}) * (7 \text{ hrs/day}) * (0.00024 \text{ lb/ton}) * (1 \text{ piles}) = 0.41 \text{ lb/day}$ (Winter hours)

*Cold Aggregate Handling/Conveyors***Filterable PM Emissions:**

Emission Factor = 0.00014 lb/ton (0.0030 uncontrolled, 0.00014 controlled, AP 42, Table 11.19.2-2, 8/04)

Calculation: $(250 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00014 \text{ lb/ton}) * (2 \text{ transfer}) = 1.68 \text{ lb/day}$ (Summer Hours)

Calculation: $(250 \text{ ton/hr}) * (7 \text{ hrs/day}) * (0.00014 \text{ lb/ton}) * (2 \text{ transfer}) = 0.49 \text{ lb/day}$ (Winter Hours)

Filterable PM₁₀ Emissions:

Emission Factor = 0.000046 lb/ton (0.00110 uncontrolled, 0.000046 controlled, AP 42, Table 11.19.2-2, 8/04)

Calculation: $(250 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.000046 \text{ lb/ton}) * (2 \text{ transfer}) = 0.55 \text{ lb/day}$ (Summer Hours)

Calculation: $(250 \text{ ton/hr}) * (7 \text{ hrs/day}) * (0.000046 \text{ lb/ton}) * (2 \text{ transfer}) = 0.16 \text{ lb/day}$ (Winter Hours)

Filterable PM_{2.5} Emissions:

Emission Factor = 0.000013 lb/ton (0.000013 controlled, AP 42, Table 11.19.2-2, 8/04)

Calculation: $(250 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.000013 \text{ lb/ton}) * (2 \text{ transfer}) = 0.16 \text{ lb/day}$ (Summer Hours)

Calculation: $(250 \text{ ton/hr}) * (7 \text{ hrs/day}) * (0.000013 \text{ lb/ton}) * (2 \text{ transfer}) = 0.05 \text{ lb/day}$ (Winter Hours)

*250 TPH Drum Mix Drier***Filterable PM Emissions:**

Emission Factor = 0.04 gr/dscf (permit limit)

Calculation: $(0.04 \text{ gr/dscf}) * (25,709 \text{ dscfm}) * (1 \text{ lb} / 7000 \text{ gr}) * (60 \text{ min/hr}) = 8.81 \text{ lb/hr}$

Calculation: $(8.81 \text{ lb/hr}) * (24 \text{ hrs/day}) = 211.55 \text{ lb/day}$ (Summer Hours)

Calculation: $(8.81 \text{ lb/hr}) * (7 \text{ hrs/day}) = 61.70 \text{ lb/day}$ (Winter Hours)

Filterable PM₁₀ Emissions:

Emission Factor = 0.02 gr/dscf (permit limit, assume 50% of TSP is PM₁₀, Department policy)

Calculation: $(0.02 \text{ gr/dscf}) * (25,709 \text{ dscfm}) * (1 \text{ lb} / 7000 \text{ gr}) * (60 \text{ min/hr}) = 4.41 \text{ lb/hr}$

Calculation: $(4.41 \text{ lb/hr}) * (24 \text{ hrs/day}) = 105.77 \text{ lb/day}$ (Summer Hours)

Calculation: $(4.41 \text{ lb/hr}) * (7 \text{ hrs/day}) = 30.85 \text{ lb/day}$ (Winter Hours)

Filterable PM_{2.5} Emissions:

Emission Factor = 0.0084 gr/dscf (permit limit, assume 21% of TSP is PM_{2.5}, AP 42, Table 11.1-4, 3/04)

Calculation: $(0.0084 \text{ gr/dscf}) * (25,709 \text{ dscfm}) * (1 \text{ lb} / 7000 \text{ gr}) * (60 \text{ min/hr}) = 1.85 \text{ lb/hr}$

Calculation: $(1.85 \text{ lb/hr}) * (24 \text{ hrs/day}) = 44.43 \text{ lb/day}$ (Summer Hours)

Calculation: $(1.85 \text{ lb/hr}) * (7 \text{ hrs/day}) = 12.96 \text{ lb/day}$ (Winter Hours)

Condensable PM_{2.5} Emissions:

Emission Factor = 0.0194 lb/ton (fabric filter, AP 42, Table 11.1-3, 3/04)

Calculation: (250 ton/hr) * (24 hrs/day) * (0.0194 lb/ton) = 116.40 lb/day (Summer Hours)

Calculation: (250 ton/hr) * (24 hrs/day) * (0.0194 lb/ton) = 33.95 lb/day (Winter Hours)

CO Emissions:

Emission Factor = 0.13 lb/ton (#2 fuel oil-fired dryer, AP 42, Table 11.1-7, 3/04)

Calculation: (250 ton/hr) * (24 hrs/day) * (0.13 lb/ton) = 780.00 lb/day (Summer Hours)

Calculation: (250 ton/hr) * (7 hrs/day) * (0.13 lb/ton) = 227.50 lb/day (Winter Hours)

NO_x Emissions:

Emission Factor = 0.055 lb/ton (#2 fuel oil-fired dryer, AP 42, Table 11.1-7, 3/04)

Calculation: (250 ton/hr) * (24 hrs/day) * (0.055 lb/ton) = 330.00 lb/day (Summer Hours)

Calculation: (250 ton/hr) * (7 hrs/day) * (0.055 lb/ton) = 96.25 lb/day (Winter Hours)

SO₂ Emissions:

Emission Factor = 0.011 lb/ton (#2 fuel oil-fired dryer, AP 42, Table 11.1-7, 3/04)

Calculation: (250 ton/hr) * (24 hrs/day) * (0.011 lb/ton) * = 66.00 lb/day (Summer Hours)

Calculation: (250 ton/hr) * (7 hrs/day) * (0.011 lb/ton) = 19.25 lb/day (Winter Hours)

VOC Emissions:

Emission Factor = 0.032 lb/ton (#2 fuel oil-fired dryer, AP 42, Table 11.1-8, 3/04)

Calculation: (250 ton/hr) * (24 hrs/day) * (0.032 lb/ton) = 192.00 lb/day (Summer Hours)

Calculation: (250 ton/hr) * (7 hrs/day) * (0.032 lb/ton) = 56.00 lb/day (Winter Hours)

*Asphalt Product Silo Filling***Filterable PM_{2.5} Emissions:**

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.000332 + 0.00105(-V)e^{((0.0251)(T + 460) - 20.43)} - 0.00025 = 0.00033$ lb/ton

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: (250 ton/hr) * (24 hrs/day) * (0.00033 lb/ton) * = 1.99 lb/day (Summer Hours)

Calculation: (250 ton/hr) * (7 hrs/day) * (0.00033 lb/ton) * = 0.58 lb/day (Winter Hours)

Condensable PM_{2.5} Emissions:

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.00105(-V)e^{((0.0251)(T + 460) - 20.43)} = 0.00025$ lb/ton

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: (250 ton/hr) * (24 hrs/day) * (0.00025 lb/ton) = 1.52 lb/day (Summer Hours)

Calculation: (250 ton/hr) * (7 hrs/day) * (0.00025 lb/ton) * = 0.44 lb/day (Winter Hours)

VOC Emissions:

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

Emission Factor = $0.0504(-V)e^{((0.0251)(T + 460) - 20.43)} = 0.01219$ lb/ton

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

Calculation: (250 ton/hr) * (24 hrs/day) * (0.01219 lb/ton) = 73.12 lb/day (Summer Hours)

Calculation: (250 ton/hr) * (7 hrs/day) * (0.01219 lb/ton) * = 21.33 lb/day (Winter Hours)

CO Emissions:

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

$$\text{Emission Factor} = 0.00488(-V)e^{((0.0251)(T + 460) - 20.43)} = 0.00118 \text{ lb/ton}$$

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

$$\text{Calculation: } (250 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00118 \text{ lb/ton}) = 7.08 \text{ lb/day (Summer Hours)}$$

$$\text{Calculation: } (250 \text{ ton/hr}) * (7 \text{ hrs/day}) * (0.00118 \text{ lb/ton}) * = 2.06 \text{ lb/day (Winter Hours)}$$

*Plant Load Out***Filterable PM_{2.5} Emissions:**

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

$$\text{Emission Factor} = 0.000181 + 0.00141(-V)e^{((0.0251)(T + 460) - 20.43)} - 0.00034 = 0.00018 \text{ lb/ton}$$

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

$$\text{Calculation: } (250 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00018 \text{ lb/ton}) = 1.09 \text{ lb/day (Summer Hours)}$$

$$\text{Calculation: } (250 \text{ ton/hr}) * (7 \text{ hrs/day}) * (0.00018 \text{ lb/ton}) = 0.32 \text{ lb/day (Winter Hours)}$$

Condensable PM_{2.5} Emissions:

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

$$\text{Emission Factor} = 0.00141(-V)e^{((0.0251)(T + 460) - 20.43)} = 0.00034 \text{ lb/ton}$$

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

$$\text{Calculation: } (250 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00034 \text{ lb/ton}) = 2.05 \text{ lb/day (Summer Hours)}$$

$$\text{Calculation: } (250 \text{ ton/hr}) * (7 \text{ hrs/day}) * (0.00034 \text{ lb/ton}) = 0.60 \text{ lb/day (Winter Hours)}$$

VOC Emissions:

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

$$\text{Emission Factor} = 0.0172(-V)e^{((0.0251)(T + 460) - 20.43)} * 94\% = 0.00391 \text{ lb/ton}$$

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

$$\text{Calculation: } (250 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00391 \text{ lb/ton}) = 23.46 \text{ lb/day (Summer Hours)}$$

$$\text{Calculation: } (250 \text{ ton/hr}) * (7 \text{ hrs/day}) * (0.00391 \text{ lb/ton}) = 6.84 \text{ lb/day (Winter Hours)}$$

CO Emissions:

Predictive equation for emission factor provided per AP 42, Table 11.1-14, 3/04.

$$\text{Emission Factor} = 0.00558(-V)e^{((0.0251)(T + 460) - 20.43)} = 0.00135 \text{ lb/ton}$$

Where: V = Asphalt volatility = -0.5 (Default value per AP 42, Table 11.1-14, 3/04)

T = HMA mix temperature = 325 F (Default value per AP 42, Table 11.1-14, 3/04)

$$\text{Calculation: } (250 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00135 \text{ lb/ton}) = 8.10 \text{ lb/day (Summer Hours)}$$

$$\text{Calculation: } (250 \text{ ton/hr}) * (7 \text{ hrs/day}) * (0.00135 \text{ lb/ton}) = 2.36 \text{ lb/day (Winter Hours)}$$

*Haul Roads/Vehicle Traffic***PM Emissions:**

Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.

$$\text{Emission Factor} = k * (s / 12)^a * (W / 3)^b = 12.46 \text{ lb/VMT}$$

Where: k = constant = 4.9 lbs/VMT (Value for PM₃₀/TSP, AP 42, Table 13.2.2-2, 11/06)

s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)

W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)

a = constant = 0.7 (Value for PM₃₀/TSP, AP 42, Table 13.2.2-2, 11/06)

b = constant = 0.45 (Value for PM₃₀/TSP, AP 42, Table 13.2.2-2, 11/06)

Control Efficiency = 50% (Water spray or chemical dust suppressant)

$$\text{Calculation: } (24 \text{ hrs/day}) * (0.21 \text{ VMT/hr}) * (12.46 \text{ lb/VMT}) * (1-50/100) = 31.15 \text{ lb/day (50\% control efficiency, Summer Hours)}$$

$$\text{Calculation: } (7 \text{ hrs/day}) * (0.21 \text{ VMT/hr}) * (12.46 \text{ lb/VMT}) * (1-50/100) = 9.09 \text{ lb/day (50\% control efficiency, Winter Hours)}$$

PM₁₀ Emissions:

Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.

$$\text{Emission Factor} = k * (s / 12)^a * (W / 3)^b = 3.43 \text{ lb/VMT}$$

Where: k = constant = 1.5 lbs/VMT (Value for PM₁₀, AP 42, Table 13.2.2-2, 11/06)

s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)

W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)

a = constant = 0.9 (Value for PM₁₀, AP 42, Table 13.2.2-2, 11/06)

b = constant = 0.45 (Value for PM₁₀, AP 42, Table 13.2.2-2, 11/06)

Control Efficiency = 50% (Water spray or chemical dust suppressant)

Calculation: (24 hrs/day) * (0.21 VMT/hr) * (3.43 lb/VMT) * (1-50/100) = 8.59 lb/day (50% control efficiency, Summer Hours)

Calculation: (7 hrs/day) * (0.21 VMT/hr) * (3.43 lb/VMT) * (1-50/100) = 2.50 lb/day (50% control efficiency, Winter Hours)

PM_{2.5} Emissions:

Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.

$$\text{Emission Factor} = k * (s / 12)^a * (W / 3)^b = 0.34 \text{ lb/VMT}$$

Where: k = constant = 0.15 lbs/VMT (Value for PM_{2.5}, AP 42, Table 13.2.2-2, 11/06)

s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)

W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)

a = constant = 0.9 (Value for PM_{2.5}, AP 42, Table 13.2.2-2, 11/06)

b = constant = 0.45 (Value for PM_{2.5}, AP 42, Table 13.2.2-2, 11/06)

Control Efficiency = 50% (Water spray or chemical dust suppressant)

Calculation: (24 hrs/day) * (0.21 VMT/hr) * (0.34 lb/VMT) * (1-50/100) = 0.86 lb/day (50% control efficiency, Summer Hours)

Calculation: (7 hrs/day) * (0.21 VMT/hr) * (0.34 lb/VMT) * (1-50/100) = 0.25 lb/day (50% control efficiency, Winter Hours)

*986 hp Diesel Engine Main Generator***Total PM/PM₁₀/PM_{2.5} Emissions:**

Emission Factor = 0.0022 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: (24 hrs/day) * (986 hp) * (0.0022 lbs/hp-hr) = 52.06 lb/day (Summer Hours)

Emission Factor = 0.000331 lbs/hp-hr (EPA Tier 2 emission standards, hp>750)

Calculation: (7 hrs/day) * (986 hp) * (0.000331 lbs/hp-hr) = 2.28 lb/day (Winter Hours)

NO_x Emissions:

Emission Factor = 0.031 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: (24 hrs/day) * (986 hp) * (0.031 lbs/hp-hr) = 733.58 lb/day (Summer Hours)

Calculation: (7 hrs/day) * (986 hp) * (0.031 lbs/hp-hr) = 213.96 lb/day (Winter Hours)

CO Emissions:

Emission Factor = 0.00668 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: (24 hrs/day) * (986 hp) * (0.00668 lbs/hp-hr) = 158.08 lb/day (Summer Hours)

Calculation: (7 hrs/day) * (986 hp) * (0.00668 lbs/hp-hr) = 46.11 lb/day (Winter Hours)

VOC Emissions:

Emission Factor = 0.0025141 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, TOC, Exhaust & Crankcase, 10/96)

Calculation: (24 hrs/day) * (986 hp) * (0.0025141 lbs/hp-hr) = 59.49 lb/day (Summer Hours)

Calculation: (7 hrs/day) * (986 hp) * (0.0025141 lbs/hp-hr) = 17.35 lb/day (Winter Hours)

SO₂ Emissions:

Emission Factor = 0.00205 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: (24 hrs/day) * (986 hp) * (0.00205 lbs/hp-hr) = 48.51 lb/day (Summer Hours)

Calculation: (7 hrs/day) * (986 hp) * (0.00205 lbs/hp-hr) = 14.15 lb/day (Winter Hours)

36 hp Diesel Engine Asphalt Oil Heater

Total PM/PM₁₀/PM_{2.5} Emissions:

Emission Factor = 0.0022 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: (24 hrs/day) * (36 hp) * (0.0022 lbs/hp-hr) = 1.90 lb/day (Summer Hours)

Calculation: (7 hrs/day) * (36 hp) * (0.0022 lbs/hp-hr) = 0.55 lb/day (Winter Hours)

NO_x Emissions:

Emission Factor = 0.031 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: (24 hrs/day) * (36 hp) * (0.031 lbs/hp-hr) = 26.78 lb/day (Summer Hours)

Calculation: (7 hrs/day) * (36 hp) * (0.031 lbs/hp-hr) = 7.81 lb/day (Winter Hours)

CO Emissions:

Emission Factor = 0.00668 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: (24 hrs/day) * (36 hp) * (0.00668 lbs/hp-hr) = 5.77 lb/day (Summer Hours)

Calculation: (7 hrs/day) * (36 hp) * (0.00668 lbs/hp-hr) = 1.68 lb/day (Winter Hours)

VOC Emissions:

Emission Factor = 0.0025141 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, TOC, Exhaust & Crankcase, 10/96)

Calculation: (24 hrs/day) * (36 hp) * (0.0025141 lbs/hp-hr) = 2.17 lb/day (Summer Hours)

Calculation: (7 hrs/day) * (36 hp) * (0.0025141 lbs/hp-hr) = 0.63 lb/day (Winter Hours)

SO₂ Emissions:

Emission Factor = 0.00205 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)

Calculation: (24 hrs/day) * (36 hp) * (0.00205 lbs/hp-hr) = 1.77 lb/day (Summer Hours)

Calculation: (7 hrs/day) * (36 hp) * (0.00205 lbs/hp-hr) = 0.52 lb/day (Winter Hours)

V. Existing Air Quality

On July 1, 1987, the Environmental Protection Agency (EPA) promulgated new National Ambient Air Quality Standards (NAAQS) for PM₁₀. Due to exceedances of the national standards for PM₁₀, 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 PM₁₀. As a result of this designation, the EPA required the Department and the City-County Health Departments to submit PM₁₀ 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 PM₁₀ emissions.

Montana Air Quality Permit (MAQP) #4522-00 and Addendum 1 are for a portable drum mix asphalt plant that will locate at sites in or within 10 kilometers (km) of certain PM₁₀ 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 operate on an intermittent and temporary basis and any effects on air quality will be minor and short-lived.

VI. Air Quality Impacts

MAQP #4522-00 and Addendum 1 will cover the operations of this portable asphalt 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 1 will cover the operations of this portable asphalt plant while operating in or within 10 km of the Kalispell PM₁₀ nonattainment area (Kalispell home pit) during the winter months (October 1 through March 31). Additionally, the facility will also be allowed to operate in or within 10 km of certain PM₁₀ nonattainment areas 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 a private property taking and damaging assessment (see Section VII of the Permit Analysis for MAQP #4522-00) and determined there are no taking or damaging implications.

VIII. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act, was completed for this project. A copy is attached.

Permit Analysis Prepared by: Ed Warner

Date: February 10, 2010

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air Resources Management Bureau
P.O. Box 200901, Helena, MT 59620
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Nelcon, Inc.

Montana Air Quality Permit number: 4522-00

Preliminary Determination Issued: February 23, 2010

Department Decision Issued: March 26, 2010

Permit Final: April 13, 2010

1. *Legal Description of Site:* Nelcon would operate a portable drum mix asphalt plant initially located in Section 29, Township 27 North, Range 3 West, in Pondera County, Montana. MAQP #4522-00 would apply while operating at any location in Montana except those areas having a Department-approved permitting program, areas considered tribal lands, or areas in or within 10 km of certain PM₁₀ nonattainment areas.

Addendum #1 would apply to the Nelcon facility while operating at any location in or within 10 km of a certain PM₁₀ nonattainment area during the summer months (April 1 – September 30) and at sites approved by the Department during the winter months (October 1 – March 31).

2. *Description of Project:* Nelcon would operate a portable drum mix asphalt plant and associated equipment with a maximum capacity of up to 250 tons per hour and up to two diesel engine/generators with a combined maximum capacity of up to 1,021 hp at various locations throughout Montana.
3. *Objectives of Project:* The objective of this project would be to produce revenue for Nelcon through the sale and use of asphalt. The issuance of the permit would allow Nelcon to operate the permitted equipment at various locations throughout Montana, including the initial site location.
4. *Alternatives Considered:* In addition to the proposed action, the Department also considered the “no-action” alternative. The “no-action” alternative would deny issuance of the air quality preconstruction permit to the proposed facility. However, the Department does not consider the “no-action” alternative to be appropriate because Nelcon has demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the “no-action” alternative was eliminated from further consideration.
5. *A Listing of Mitigation, Stipulations, and Other Controls:* A list of enforceable conditions, including a BACT analysis, would be included in MAQP #4522-00.
6. *Regulatory Effects on Private Property:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.

7. The following table summarizes the potential physical and biological effects of the proposed project on the human environment. The “no-action” alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A	Terrestrial and Aquatic Life and Habitats			X			Yes
B	Water Quality, Quantity, and Distribution			X			Yes
C	Geology and Soil Quality, Stability and Moisture			X			Yes
D	Vegetation Cover, Quantity, and Quality			X			Yes
E	Aesthetics			X			Yes
F	Air Quality			X			Yes
G	Unique Endangered, Fragile, or Limited Environmental Resources				X		Yes
H	Demands on Environmental Resource of Water, Air and Energy			X			Yes
I	Historical and Archaeological Sites				X		Yes
J	Cumulative and Secondary Impacts			X			Yes

SUMMARY OF COMMENTS ON POTENTIAL PHYSICAL AND BIOLOGICAL EFFECTS: The following comments have been prepared by the Department.

A. Terrestrial and Aquatic Life and Habitats

Impacts on terrestrials and aquatic life could result from storm water runoff and pollutant deposition, but such impacts would be minor because the asphalt plant would be considered a minor source of emissions and would have intermittent and seasonal operations. Furthermore, the air emissions would have only minor effects on terrestrial and aquatic life because facility emissions would have good pollutant dispersion in the area of operations (see Section 7.F). Therefore, only minor and temporary effects to terrestrial and aquatic life and habitat would be expected from the proposed project.

B. Water Quality, Quantity and Distribution

Water would be required for dust suppression on the surrounding roadways and the area of operation. Typical application of water spray for dust suppression typically results in the water being evaporated to the atmosphere shortly after its application. Water's dust suppressing capacity is very temporary because of evaporation. Heavy applications of water can create soft mud or penetrate a road to the sub-base which can cause major road failure; therefore, heavy applications are typically not utilized. Consequently, several light applications are preferable to one heavy application. Pollutant deposition and water use would cause minor impacts to water resources because the facility is relatively small with seasonal and intermittent operations. The benefits of using water to control emissions outweigh the potential minor impacts to the surroundings.

C. Geology and Soil Quality, Stability and Moisture

The proposed project would have minor impacts on geology, soil quality, stability, and moisture of soils. Minor impacts from deposition of air pollutants on soils would result (as described in Section 7.F of this EA) and minor amounts of water would be used for pollution control and only as necessary in controlling particulate emissions. Thus, minimal water runoff

would occur. Since a small amount of pollution would be generated and corresponding emissions would be widely dispersed before settling upon vegetation and surrounding soils (as described in Section 7.D of this EA), impacts would be minor. Therefore, any effects upon geology and soil quality, stability, and moisture from air pollutant emissions from equipment and operation would be minor.

D. Vegetation Cover, Quantity, and Quality

The facility would be considered a minor source of emissions by industrial standards and would typically operate in areas previously designated and used for this type of operation. The overall footprint of the facility would be small, so the affect to quantity and quality of vegetative cover in the area would be minimal. There are no known plant species of concern within the project area.

In addition, water use at the facility, soil disturbance from water application, and the associated runoff would also be minimal. Overall, impacts to vegetation from the project would be minor.

E. Aesthetics

MAQP #4522-00 would include conditions to control emissions, including visible emissions, from the operation. The portable asphalt plant would be considered a minor industrial source.

For the proposed project, the facility would be initially located in an existing gravel pit known as the Midway Colony Pit that is on private land and has had asphalt plants located there before. There is an existing concrete plant approximately ½ mile from the proposed plant location and some barns and corrals located approximately one mile from the proposed plant location. The surrounding land use is agricultural. Any disturbance to the aesthetic value of the area would be minor because of its location within an existing pre-disturbed industrial site that has had asphalt plants located there before.

F. Air Quality

Air quality impacts from the proposed project would be minor because the facility would be relatively small and comparable in nature to other similar sources permitted by the Department. MAQP #4522-00 would include conditions limiting the facility's opacity and particulate matter emissions. The permit would also limit total emissions from the portable asphalt plant and any additional equipment operated at the site to 250 tons per year or less of any individual pollutant, excluding fugitive emissions.

Further, the Department determined that the portable asphalt plant would be a minor source of emissions as defined under the Title V Operating Permit Program because the source's PTE was below the major source threshold level of 100 TPY for any regulated pollutant due to federally enforceable permit conditions which limit the total annual hours of operation. Pollutant deposition from the project would be minimal because the emissions would be well controlled, widely dispersed (from factors such as wind speed and wind direction), and would have minimal deposition on the surrounding area. Therefore, air quality impacts from the project in this area would be minor. The applicant has indicated that the source would operate on an intermittent and seasonal basis; therefore, actual emissions may be lower than accounted for in the PTE calculations.

G. Unique Endangered, Fragile, or Limited Environmental Resources

In an effort to assess any potential impacts to any unique endangered, fragile, or limited environmental resources in the proposed initial area of operation (Section 29, Township 27 North, Range 3 West in Pondera County, Montana), the Department contacted the Montana Natural Heritage Program (MNHP). Search results concluded there are no known vertebrate animal species of concern located within three miles of the facility. The search area, in this case, is defined by the township and range of the proposed site, with an additional one-mile buffer. The proposed facility location is on an existing industrial site that is already disturbed from previous gravel pit activities; therefore, there are no anticipated impacts to any unique endangered, fragile, or limited environmental resources.

H. Demands on Environmental Resource of Water, Air and Energy

The portable asphalt plant would provide its own energy for operation from the portable diesel engine generators. Water would be required for control of fugitive particulate matter emissions in the plant area and surrounding roads. Impacts to air resources would be minimal because the source would be considered a minor industrial source of emissions, with intermittent and seasonal operations. Because air pollutants generated by the plant would be widely dispersed (see Section 8.F of this EA), energy requirements would be provided by portable generators, and water use would be minimal, any impacts to water, air, and energy resources would be minor.

I. Historical and Archaeological Sites

The Department contacted the Montana Historical Society - State Historical Preservation Office (SHPO) in an effort to identify any historical and archaeological sites that may be present in the proposed area of operation. Search results concluded that there are no previously recorded historical or archaeological resources of concern within the area proposed for initial operation. According to correspondence from the SHPO, there would be a low likelihood of adverse disturbance to any known archaeological or historic site given previous industrial disturbance to the area. Therefore, no impacts upon historical or archaeological sites would be expected as a result of operating the asphalt plant at the proposed location. However, if cultural materials are discovered during this project the Montana Historical Society should be contacted.

J. Cumulative and Secondary Impacts

Operation of the portable asphalt plant would cause minor cumulative and secondary impacts to the physical and biological aspects of the human environment because it would be located at an existing gravel pit and would be limited in the amount of air emissions generated. Emissions and noise generated from the equipment would, at most, result in only minor impacts to the area of operation because it would be seasonal and temporary in nature. Additionally, this facility, in combination with other emissions from equipment operations would not be permitted to exceed 250 tons per year of non-fugitive emissions of an individual pollutant. Overall, cumulative and secondary impacts to the physical and biological aspects of the human environment would be minor.

8. The following table summarizes the potential economic and social effects of the proposed project on the human environment. The “no-action” alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A	Social Structures and Mores				X		Yes
B	Cultural Uniqueness and Diversity				X		Yes
C	Local and State Tax Base and Tax Revenue			X			Yes
D	Agricultural or Industrial Production			X			Yes
E	Human Health			X			Yes
F	Access to and Quality of Recreational and Wilderness Activities			X			Yes
G	Quantity and Distribution of Employment				X		Yes
H	Distribution of Population				X		Yes
I	Demands for Government Services			X			Yes
J	Industrial and Commercial Activity			X			Yes
K	Locally Adopted Environmental Plans and Goals			X			Yes
L	Cumulative and Secondary Impacts			X			Yes

SUMMARY OF COMMENTS ON POTENTIAL ECONOMIC AND SOCIAL EFFECTS: The following comments have been prepared by the Department.

A. Social Structures and Mores

The portable asphalt plant would cause no disruption to the social structures and mores of the area because the source would be considered a minor industrial source and emissions and would have temporary and intermittent operations. The proposed initial location is within an existing industrial site.

B. Cultural Uniqueness and Diversity

The cultural uniqueness and diversity of this area would not be impacted by the operation of the portable asphalt plant because the facility would be a portable source, with seasonal and intermittent operations. The predominant use of this area would not change as a result of the proposed operation. Therefore, the cultural uniqueness and diversity of the area would not be impacted.

C. Local and State Tax Base and Tax Revenue

Only minor impacts to the local and state tax base and revenue could be expected from the employees and facility production. The portable asphalt plant may require additional employees during paving season. Because the facility would be portable and temporary it is unlikely that people would move to the area as a result of this project. Impacts to local tax base and revenue would be minor and short-term because the source would be portable and the money generated for taxes would be widespread.

D. Agricultural or Industrial Production

The proposed project would have a minor impact on local industrial production since the facility would increase local asphalt production and air emissions slightly. The facility would be located in an existing gravel pit on approximately 30 disturbed acres which lie on private land. Because minimal deposition of air pollutants would occur on the surrounding land (as described above in Section 7.F), only minor effects on the surrounding vegetation or agricultural production would occur. In addition, the facility operations would be small and temporary in nature and would be permitted with operational conditions and limitations that would minimize impacts upon surrounding vegetation, as described in Section 7.D above. The surrounding area is agricultural land. Pollutant deposition from the project would be minimal because the emissions would be well controlled, widely dispersed (from factors such as wind speed and wind direction), and would have minimal deposition on the surrounding area.

E. Human Health

Conditions would be incorporated into MAQP #4522-00 to ensure that the asphalt plant would operate in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health. As described in Section 7.F of this EA, the air emissions from this project would be minimized by the use of a fabric filter pollution control device for the drum dryer emissions, water spray for fugitive emissions, and other process limits that would be required by MAQP #4522-00. Furthermore, the applicant has stated that they plan to operate on an intermittent and seasonal basis and therefore only minor impacts would be expected on human health from the proposed facility.

F. Access to and Quality of Recreational and Wilderness Activities

Access to recreational opportunities would not be limited or modified by this facility. The equipment would be located within a preexisting industrial site that has been established for similar use. All recreational opportunities, if available in the area, would still be accessible. Noise from the facility would be minimal to surroundings because of the facility size, expected hours of operation, and rural location. The applicant has stated that the facility would operate on a seasonal and intermittent basis. The pit is on private land and the Department has determined that the project would be a minor industrial source of emissions. Therefore, any changes in the quality of recreational and wilderness activities created by operating the equipment at this site are expected to be minor.

G. Quantity and Distribution of Employment

The portable asphalt plant would be relatively small. Nelcon has stated that during asphalt paving operations they intend to add approximately 15 employees. Because the operation would be seasonal, no individuals would be expected to permanently relocate as a result of operating the portable asphalt plant. Therefore, no effects upon the quantity and distribution of employment in this area would be expected.

H. Distribution of Population

The proposed project would be considered a portable industrial facility and would require few employees to operate. No individuals would be expected to permanently relocate to this area. Therefore, the operation would not impact the normal population distribution in the initial area of operation or any future operating site.

I. Demands for Government Services

The operation of the portable asphalt plant would cause minimal demand for government services. This project would result in an increase in traffic on existing roadways. Government services would be required for acquiring the appropriate permits for the proposed project and to verify compliance with the permits that would be issued. However, any increase or demand for government services would be minor given the temporary and portable nature of the project.

J. Industrial and Commercial Activity

The proposed project would represent only a minor increase in the industrial activity in the proposed area of operation because the facility would be a small industrial source, portable and temporary in nature. Some additional industrial or commercial activity would be expected as a result of the proposed operation; however, these impacts to the industrial and commercial activity would be minor.

K. Locally Adopted Environmental Plans and Goals

The Department is unaware of any locally adopted environmental plans and goals in the proposed initial project location. Nelcon would be allowed by Permit #4522-00 to operate the portable asphalt plant and associated equipment in areas designated by EPA as attainment or unclassified for ambient air quality. Addendum 1 allows Nelcon to operate in or within 10 km of certain PM₁₀ nonattainment areas during the summer season (April 1 – September 30) and within the Nelcon Home Pit (Sections 35 and 36, Township 30 North, Range 21 West) in the Kalispell PM₁₀ nonattainment area during winter season (October 1 – March 31). Operation within other PM₁₀ nonattainment areas during the winter season would require written approval by the Department. Permit #4522-00 and Addendum 1 contain conditions and limits for protecting air quality and to keep facility emissions in compliance with any applicable ambient air quality standards. Because the facility would have intermittent and seasonal operations any impacts from the facility would be minor and short-lived.

L. Cumulative and Secondary Impacts

Overall, the proposed project would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment in the immediate area of operation because the source would be portable and the footprint of the facility would remain relatively small. Furthermore, no other industrial operations are expected to result from this permitting action. Any increase in traffic would have minor effects on local traffic in the immediate area.

This facility may be operated in conjunction with other equipment owned and operated by Nelcon, but any cumulative impacts or secondary impacts are expected to be minor and short-term. In conclusion, the source is relatively small, the facility emissions would be minimal, and the project would have only minor cumulative and secondary impacts.

Recommendation: No Environmental Impact Statement (EIS) is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: The current permitting action is for the construction and operation of a portable drum mix asphalt plant. MAQP #4522-00 includes conditions and limitations to ensure the facility will operate in compliance with all applicable rules and regulations. In addition, there are no significant impacts associated with this proposal.

Other groups or agencies contacted or which may have overlapping jurisdiction: Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Natural Heritage Program

Individuals or groups contributing to this EA: Department of Environmental Quality – Air Resources Management Bureau, Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Natural Heritage Program

EA prepared by: Ed Warner
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