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May 30, 2012

Jeremy Walkup  
Poe Asphalt Paving, Inc.  
P.O. Box 449  
Lewiston, ID 83501

Dear Mr. Walkup:

Montana Air Quality Permit #4729-00 is deemed final as of May 30, 2012, by the Department of Environmental Quality (Department). This permit is for a portable 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 #4729-00

Poe Asphalt Paving, Inc.  
P.O. Box 449  
Lewiston, ID 83501

May 30, 2012



## MONTANA AIR QUALITY PERMIT

Issued To: Poe Asphalt Paving, Inc.  
P.O. Box 449  
Lewiston, ID 83501

MAQP: #4729-00  
Application Complete: 2/27/12  
Preliminary Determination Issued: 4/6/12  
Department's Decision Issued: 5/11/12  
Permit Final: 5/30/12  
AFS #: 777-4729

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

The Poe Asphalt facility includes a portable drum mix asphalt plant and associated equipment with a 550 tons per hour (TPH) maximum production capacity, three diesel generator engines with a combined maximum capacity of 1,424-horsepower (hp), and associated equipment. A complete list of the permitted equipment is contained in Section I.A of the Permit Analysis.

#### B. Plant Location

Poe Asphalt operates a portable drum mix asphalt plant, which will initially be located in the SW¼ NW¼ of Section 19, Township 18 North, Range 27 West, in Mineral County, Montana. However, MAQP #4729-00 applies while operating at any location in Montana, except those areas having a Department of Environmental Quality (Department)-approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) 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 PM<sub>10</sub> nonattainment areas.

### 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) from the asphalt drum mix drier exhaust and mineral filler storage silo exhaust (ARM 17.8.340, ARM 17.8.752, and 40 Code of Federal Regulations (CFR) 60, Subpart I).
2. Poe Asphalt 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).
3. Poe Asphalt shall not cause or authorize the use of any street, road or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).

4. Poe Asphalt 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.3 (ARM 17.8.749 and ARM 17.8.752).
5. Poe Asphalt shall install, operate, and maintain a fabric-filter baghouse for particulate matter air pollution control from the asphalt drum mix drier exhaust. A device to measure the pressure drop (magnehelic gauge, manometer, etc.) across the fabric filter system must be installed and maintained. Pressure drop must be measured in inches of water. Temperature indicators at the baghouse inlet and outlet must be installed and maintained (ARM 17.8.752).
6. Poe Asphalt shall install, operate, and maintain a fabric-filter baghouse for particulate matter air pollution control from the mineral filler storage silo exhaust. A device to measure the pressure drop (magnehelic gauge, manometer, etc.) across the fabric filter system must be installed and maintained on the baghouses. Pressure drop must be measured in inches of water (ARM 17.8.752).
7. Poe Asphalt shall only use diesel as fuel for the asphalt oil heater (ARM 17.8.749).
8. Poe Asphalt shall only use recycled waste oil, number 2 fuel oil, propane, or natural gas as fuel for the hot mix drier (ARM 17.8.749).
9. 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).
10. Hours of operation of the asphalt plant (including the generator engines) shall be limited to 1,900 hours per rolling 12-month time period (ARM 17.8.749 and ARM 17.8.1204).
11. Asphalt production is limited to 1,045,000 tons per year during any rolling 12-month time period (ARM 17.8.749 and ARM 17.8.1204).
12. Poe Asphalt shall not operate or have on-site more than three diesel generator engines. The maximum combined capacity of the generator engines shall not exceed 1,424 hp (ARM 17.8.749).
13. If the permitted equipment is used in conjunction with any other equipment owned or operated by Poe Asphalt, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).
14. Poe Asphalt shall comply with all applicable standards and limitations, and the reporting, recordkeeping, testing, and notification requirements contained in 40 CFR 60, Subpart I, *Standards of Performance for Hot Mix Asphalt Facilities* (ARM 17.8.340 and 40 CFR 60, Subpart I).
15. Poe Asphalt shall comply with all applicable standards and limitations, and the reporting, recordkeeping, testing, 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 drum mix drier exhaust stack 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 Section II.A.2. 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, ARM 17.8.340, ARM 17.8.749, and 40 CFR 60 Subpart I).
2. Since asphalt production will be limited to the average production rate during the compliance source test, it is suggested that the test be performed at the highest practical production rate (ARM 17.8.749).
3. Temperature and pressure drop across the drier baghouse, and pressure drop across the lime silo baghouse, must be recorded daily and kept on site according to Section II.C.4 (ARM 17.8.749).
4. Temperature and pressure drop across the drier baghouse must be recorded during the compliance source test and reported as part of the test results (ARM 17.8.749).
5. Poe Asphalt 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. Poe Asphalt 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, and/or to verify compliance with permit limitations (ARM 17.8.505).

3. Poe Asphalt 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(1)(d) (ARM 17.8.745).
4. Poe Asphalt shall maintain on-site records showing daily hours of operation, daily production rates, and daily pressure drop and temperature readings across the baghouses for the last 12 months. The records compiled in accordance with this permit shall be maintained by Poe Asphalt 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. Poe Asphalt shall document, by month, the hours of operation of the facility. By the 25<sup>th</sup> day of each month, Poe Asphalt shall calculate the hours of operation of the facility for the previous month. The monthly information will be used to demonstrate compliance with the rolling 12-month limitation in Section II.A.8. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
6. Poe Asphalt shall document, by month, the asphalt production from the facility. By the 25<sup>th</sup> day of each month, Poe Asphalt shall calculate the asphalt production from the facility for the previous month. The monthly information will be used to demonstrate 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. Poe Asphalt 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, Poe Asphalt 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, Poe Asphalt 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, Poe Asphalt shall submit written notification to the Department of the initial start-up date of the affected equipment (ARM 17.8.749).

### SECTION III: General Conditions

- A. Inspection – Poe Asphalt 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 such as continuous emissions monitoring systems (CEMS) or continuous emission rate monitoring systems (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 Poe Asphalt fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Poe Asphalt 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. Air Quality Operation Fees – Pursuant to Section 75-2-220, MCA, failure to pay the annual operation fee by Poe Asphalt 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. Poe Asphalt shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas that have a Department-approved permitting program or areas considered tribal lands.

Montana Air Quality Permit (MAQP) Analysis  
Poe Asphalt Paving Inc.  
MAQP #4729-00

I. Introduction/Process Description

Poe Asphalt Paving Inc. (Poe Asphalt) owns and operates a portable drum mix asphalt plant and associated equipment with maximum rated design capacity of 550 tons per hour (TPH) powered by three diesel generators. The combined capacity of the diesel generator engines is limited to 1,424 horsepower (hp). This plant, referred to as the 1900 Plant, would be initially be located in the SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Section 19, Township 18 North, Range 27 West, in Mineral County, Montana. Poe Asphalt does not have a home pit in the state of Montana.

A. Permitted Equipment

1. A portable drum mix asphalt plant and associated equipment with a maximum production capacity of 550 TPH utilizing a RFO4 waste oil-fired burner in the asphalt drier and baghouse pollution control. The drier is also capable of using number 2 fuel oil, propane, or natural gas as fuel.
2. Aggregate conveyors and material handling equipment.
3. Three diesel-fired generator engines with a combined maximum capacity of up to 1,424 hp.
4. 25,000 gallon capacity liquid asphalt cement storage tank with diesel-fired heater.
5. 2,200 cubic foot capacity lime silo with baghouse pollution control.

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 a screen and weigh bridge conveyor which feeds the drum mixer. The cold aggregate is dried and heated within the drum mixer which is fired with RFO4 waste oil. . The drier is also capable of using number 2 fuel oil, propane, or natural gas as fuel. The exhaust from the dryer vents to the atmosphere through the primary baghouse. Liquid asphalt cement is introduced into the aggregate within the drum mixer. Lime antistripping is delivered from a storage silo to the drum via an enclosed feed auger system. Particulate emissions from the lime storage and feeder system are routed to a baghouse. Liquid asphalt cement 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. Multiple diesel-fired generators power the operation.

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.

C. Response to Public Comments

Person/Group Commenting	Permit Reference	Comment	Department Response
Jon and Karen Driessen	General Comment regarding MAQP #4729-00 and amendment to Opencut Mining Division for enlarged gravel operations	<p>As owners of property within the Old Mill Peninsula Subdivision, we are concerned about the cumulative effects of authorized operations on the Tricon Timber property. You are currently considering an air quality permit for asphalt operations on this site, at the same time the Opencut Mining Division is considering application for amendment to permit a significantly enlarged gravel operation. Both of these applications are in addition to the normal activities of a full scale Tricon lumber operation.</p> <p>Each operation entails permitted limits but nowhere do we see any consideration of the cumulative effects of all three operations; e.g., particulate air emissions, noise, odors, storm water runoff. There also is a safety concern due to increased truck traffic over a shared bridge and roads entering Tricon and our subdivision. Neither application even mentions the shared entrances to our subdivision and the mill.</p> <p>We would like to know what precautions and mitigations are in place when fuel or toxic chemicals spill from the asphalt operation? What type of liners will be in place to prevent seepage into the groundwater as well as seepage into the Clark Fork river flowing directly east and below the Tricon site? Our subdivision wells are immediately adjacent and downstream to the north end of the Tricon property, and trailer court wells are within 450 feet south of the Tricon property. Degradation of either water source would be intolerable.</p> <p>From an aesthetic point of view, you may deem all our concerns to be minor. We bought property in a subdivision with restrictive covenants to protect our environment and the Clark Fork river. At the time we knew we had a lumber mill as a neighbor. We did not bargain for increased air and noise pollution, and potential water degradations due to gravel operations and now an asphalt plant.</p>	<p>The Department has provided responses to this letter as it pertains to general air quality regulations as well as air quality issues specific to MAQP #4729-00.</p> <p>MAQP #4729-00 does have enforceable limitations on the amount of equipment that Poe Asphalt may operate in a single location (Section II.A.13). However, this consideration of combined equipment is only applicable to equipment that is owned and operated by Poe Asphalt and may not necessarily address the commenter's issue of the consideration of the cumulative effects from Tricon, gravel operations, and asphalt plant operations. The Department can consider impacts to the ambient air quality standards from cumulative sources during the permitting process when a cumulative ambient air impact analysis is required. This type of analysis is part of an air dispersion computer modeling exercise that is used during the air quality permitting process to verify that a new or modified source of air pollution will not cause or contribute to an exceedance of an ambient air quality standard. Air dispersion modeling is required for new or modified major sources, incinerators, and sources located in or near nonattainment areas. This dispersion modeling exercise was not required for Poe Asphalt because it is considered a minor source of emissions, is not an incinerator, and the initial location is not in or near a nonattainment area. In addition, air dispersion modeling is generally not required for portable sources due their typically intermittent operations. Tricon Lumber is also considered to be a minor source of emissions.</p>

		We hope you will consider the cumulative effects of these three industrial operations up on air quality as well as upon the other environmental concerns, and do all you can to mitigate the outcomes.	
Poe Asphalt	Section II.A.8	We have recently made the decision to update our portable asphalt plant to be capable of burning propane fuel for the drier burner. Section II: Conditions and Limitations, A. Emission Limitations, Item 8, lists waste oil, number 2 diesel and natural gas as fuel options for the drier burner. I am requesting that prior to final issuance of the permit that propane be considered as an acceptable fuel type.	The Department has updated this condition to allow for propane to be used as fuel for the drier burner. Any necessary updates to the emission inventory and discussions regarding dryer fuel have also been made. The use of propane as fuel does not change the previous determinations regarding pollution control requirements for this source.

## 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).

Poe Asphalt 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 (PM<sub>10</sub>)

Poe Asphalt 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, Poe Asphalt 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 (PM), Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere PM 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 PM 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). Poe Asphalt 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 for 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 Poe Asphalt, the asphalt plant equipment to be used under MAQP #4729-00 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 Internal Combustion Engines (CI ICE). Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are manufactured after April 1, 2006, and are not fire pump engines, and owners and operators of stationary CI ICE that modify or reconstruct their stationary CI ICE after July 11, 2005, are subject to this subpart. Based on the information submitted by Poe Asphalt, some of the CI ICE equipment to be used under MAQP #4729-00 may be subject to this subpart if they remain at a single location long enough to meet the definition of a stationary source.
7. ARM 17.8.342 Emission Standards for Hazardous Air Pollutants for Source Categories. This rule incorporates, by reference, 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories. Poe Asphalt is considered an NESHAP-affected facility under 40 CFR Part 63 and is subject to the requirements of the following subparts.
- a. 40 CFR 63, Subpart A – General Provisions apply to all equipment or facilities subject to a NESHAPs Subpart as listed below.
  - b. 40 CFR 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants (HAPs) for Stationary Reciprocating Internal Combustion Engines (RICE). An owner or operator of a stationary reciprocating internal combustion engine (RICE) at a major or area source of HAP emissions is subject to this rule except if the stationary RICE is being tested at a stationary RICE test cell/stand. An area source of HAP emissions is a source that is not a major source. Based on the information submitted by Poe Asphalt, the RICE equipment to be used under MAQP #4729-00 may be subject to this subpart because the facility is an area source of HAP emissions and the RICE would be considered stationary if they remained at the same location for 12 months or longer.
- 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. Poe Asphalt 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.

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 (TPY) of any pollutant. Poe Asphalt has a PTE greater than 15 TPY of PM, PM<sub>10</sub>, nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), volatile organic compounds (VOC), and sulfur dioxide (SO<sub>2</sub>); 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. Poe Asphalt 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. Poe Asphalt submitted an affidavit of publication of public notice for the February 22, 2012, issue of the *Mineral Independent*, a newspaper of general circulation in the Town of Superior in Mineral 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 best available control technology (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 Poe Asphalt 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 MAQP 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 TPY 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 TPY of any pollutant;
  - b. PTE > 10 TPY of any one hazardous air pollutant (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 PM<sub>10</sub> in a serious PM<sub>10</sub> 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 #4729-00 for Poe Asphalt, the following conclusions were made:
  - a. Poe Asphalt agreed to federally enforceable permit conditions that when complied with will limit the facility's PTE to less than 100 TPY of 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 PM<sub>10</sub> nonattainment area.
  - d. This facility is subject to a current NSPS. (40 CFR 60, Subpart A – General Conditions, 40 CFR 60, Subpart I – Standards of Performance for Hot Mix Asphalt Plants, and potentially 40 CFR 60, Subpart IIII – Standards of Performance for CI ICE apply to this facility).
  - e. This facility is potentially subject to a current NESHAP. (40 CFR 63, Subpart A – General Conditions and 40 CFR 63, Subpart ZZZZ – NESHAP for Stationary RICE).
  - f. This source is not a Title IV affected source.
  - g. This source is not a solid waste combustion unit.
  - h. This source is not an EPA designated Title V source.

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

- i. ARM 17.8.1204(3). The Department may exempt a source from the requirement to obtain an air quality operating permit by establishing federally enforceable limitations which limit that source's PTE.
  - i. In applying for an exemption under this section the owner or operator of the facility shall certify to the Department that the source's PTE does not require the source to obtain an air quality operating permit.
  - ii. Any source that obtains a federally enforceable limit on PTE shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit.
3. ARM 17.8.1207 Certification of Truth, Accuracy, and Completeness. The compliance certification submittal 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.

### III. BACT Determination

A BACT determination is required for each new or modified source. Poe Asphalt 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-03-028, 07/15/03)
3. Cyclone (up to 99% efficient) (EPA Fact Sheet EPA-452/F-03-005, 07/15/03)
4. Wet Scrubber (70 – greater than 99% efficient) (EPA Fact Sheet EPA-452/F-03-0017, 07/15/03)

Poe Asphalt has proposed to use a fabric filter baghouse for the control of PM from the exhaust of the asphalt drum mixer. Because Poe Asphalt 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. Operating and maintaining a baghouse will constitute BACT for the asphalt drum mixer. All asphalt drum mixer emissions are limited to 0.04 grains per dry standard cubic foot (gr/dscf) for particulate and 20 percent opacity in accordance with 40 CFR 60, Subpart I. Poe Asphalt shall install and operate a device to measure the pressure drop (magnehelic gauge, manometer, etc.) across the fabric filter system, as well as temperature indicators at the baghouse inlet and outlet.

**B. Mineral Filler Silo**

Poe Asphalt’s portable asphalt plant will utilize mineral filler (lime) as an additive to the asphalt. Mineral filler will be stored in an on-site silo and will be added to the asphalt drum mixer as needed. The PM emissions generated from the filling the silo will be routed to a dedicated baghouse. As with the asphalt drum mixer BACT analysis, Poe Asphalt has proposed to utilize a control technology that is equivalent to the highest control efficiency. The baghouse is considered to be the BACT for controlling the PM emissions associated with the mineral filler silo. In accordance with 40 CFR 60, Subpart I, systems for loading, transferring, and storing mineral filler are considered part of an affected facility and emissions are limited to 0.04 gr/dscf for PM and 20 percent opacity. Poe Asphalt shall install and operate a device to measure the pressure drop (magnehelic gauge, manometer, etc.) across the fabric filter system.

**C. 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 stationary diesel engine would be required to comply with the federal engine emission standards found in 40 CFR Part 63, Subpart ZZZZ and/or NSPS emission limitations for stationary CI ICE (40 CFR 60, Subpart IIII).

**D. Fugitive Emissions**

Poe Asphalt 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. Using water and/or chemical dust suppressant to comply with the reasonable precautions limitation will be considered BACT.

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 <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	VOC	SO <sub>2</sub>
Cold Aggregate Storage Piles	1.73	0.82	0.12	--	--	--	--
Cold Aggregate Handling/Conveyors	2.35	0.86	0.02	--	--	--	--
Cold Aggregate Screens	1.15	1.15		--	--	--	--
Diesel-Fired Asphalt Oil Heater	--	--		--	0.01	--	--

Emission Source	TPY						
	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	VOC	SO <sub>2</sub>
550 TPH Drum Mix Asphalt Plant Dryer	15.19	12.66	11.20	28.74	67.93	16.72	30.31
Asphalt Product Silo Filling	0.31	0.31	0.31	--	0.62	6.37	--
Plant Load-Out	0.27	0.27	0.27	--	0.70	2.04	--
Lime Silo (PM routed to baghouse)	0.05	0.02	0.01	--	--	--	--
Haul Roads / Vehicle Traffic	1.23	0.34	0.03	--	--	--	--
1424 hp Diesel Generator Engine(s)	2.98	2.98	2.98	41.94	9.04	3.40	2.77
<b>Total Emissions</b>	<b>25.25</b>	<b>19.41</b>	<b>14.94</b>	<b>70.67</b>	<b>78.29</b>	<b>28.53</b>	<b>33.08</b>

NOTES:

SO<sub>2</sub> sulfur dioxide

Inventory reflects enforceable limits on hours of operation to keep emissions below the Title V threshold of 100 TPY of any pollutant and below 80 TPY so that the oversight category for this facility is at a level that is only subject to the State Compliance Monitoring Strategy.

All PM, PM<sub>10</sub>, and PM<sub>2.5</sub> values in the table represent the sum of the filterable and condensable fractions.

## Calculations

### Cold Aggregate Storage Piles

Maximum Process Rate = 550 ton/hr (Maximum plant process rate)

Maximum Hours of Operation = 1,900 hrs/yr

Number of Piles = 1 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:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.00331 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ piles}) = 1.73 \text{ ton/yr}$

#### Filterable PM<sub>10</sub> Emissions:

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

Emission Factor =  $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} = 0.00156$  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:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.00156 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ piles}) = 0.82 \text{ ton/yr}$

#### Filterable PM<sub>2.5</sub> Emissions:

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

Emission Factor =  $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} = 0.00024$  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:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.00024 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ piles}) = 0.12 \text{ ton/yr}$

## **Conveyor Transfer Point**

Maximum Process Rate = 550 ton/hr (Maximum plant process rate)

Maximum Hours of Operation = 1,900 hrs/yr

Number of Transfers = 3 transfer (Company Information, Excludes RAP transfers)

### **Filterable PM Emissions:**

Emission Factor = 0.003 lb/ton (0.0030 uncontrolled, 0.00014 controlled, AP 42, Table 11.19.2-2, 8/04)

Control Efficiency = 50% (Department policy)

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.003 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (3 \text{ transfer}) = 4.70 \text{ ton/yr}$

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.003 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (3 \text{ transfer}) * (1 - 50/100) = 2.35 \text{ ton/yr}$

### **Filterable PM<sub>10</sub> Emissions:**

Emission Factor = 0.0011 lb/ton (0.00110 uncontrolled, 0.000046 controlled, AP 42, Table 11.19.2-2, 8/04)

Control Efficiency = 50% (Department policy)

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.0011 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (3 \text{ transfer}) = 1.72 \text{ ton/yr}$

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.0011 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (3 \text{ transfer}) * (1 - 50/100) = 0.86 \text{ ton/yr}$

### **Filterable PM<sub>2.5</sub> Emissions:**

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

Control Efficiency = 0% (built into emission factor)

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.000013 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (3 \text{ transfer}) = 0.02 \text{ ton/yr}$

## **Screening**

Maximum Process Rate = 550 ton/hr (Maximum plant process rate)

Maximum Hours of Operation = 1,900 hrs/yr

Number of Screens = 1 screen(s) (Company Information, Excludes RAP screen)

### **Total PM Emissions:**

Emission Factor = 0.025 lb/ton (0.025 uncontrolled, 0.0022 controlled, AP 42, Table 11.19.2-2, 8/04)

Control Efficiency = 50% (Department policy)

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.025 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ screen(s)}) = 13.06 \text{ ton/yr}$

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.025 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ screen(s)}) * (1 - 50/100) = 6.53 \text{ ton/yr}$

### **Total PM<sub>10</sub> Emissions:**

Emission Factor = 0.0087 lb/ton (0.0087 uncontrolled, 0.00074 controlled, AP 42, Table 11.19.2-2, 8/04)

Control Efficiency = 50% (Department policy)

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.0087 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ screen(s)}) = 4.55 \text{ ton/yr}$

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.0087 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ screen(s)}) * (1 - 50/100) = 2.27 \text{ ton/yr}$

### **Total PM<sub>2.5</sub> Emissions:**

Emission Factor = 0.00005 lb/ton (0.000050 controlled, AP 42, Table 11.19.2-2, 8/04)

Control Efficiency = % (built into emission factor)

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.00005 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ screen(s)}) = 0.03 \text{ ton/yr}$

## **Hot Oil Heater**

Production Rate = 6.00 gal/hr (Company information)

Maximum Hours of Operation = 1,900 hrs/yr

**CO Emissions:**

Emission Factor = 0.0012 lb/gal (AP-42, Section 11.1, Table 11.1-13, No. 2 Fuel Oil, 3/04)

Control Efficiency = 0%

Calculation:  $(1900 \text{ hrs/yr}) * (6.00 \text{ gal/hr}) * (0.0012 \text{ lb/gal}) * (\text{ton}/2000 \text{ lb}) = 0.01 \text{ ton/yr}$

**Dryer, fabric filter**

Maximum Process Rate = 550 ton/hr (Application information)

Maximum Hours of Operation = 1,900 hrs/yr

Emission factors are presented for waste oil as fuel since it is regarded as the fuel that produces the worst-case emissions. The dryer is also capable of using number 2 fuel oil, propane, or natural gas as fuel.

**Filterable PM Emissions:**

*Based on Emission Limit*

Emission Factor = 0.04 gr/dscf (permit limit)

Calculation:  $(0.04 \text{ gr/dscf}) * (15,508 \text{ dscfm}) * (1 \text{ lb} / 7000 \text{ gr}) * (60 \text{ min/hr}) = 5.32 \text{ lb/hr}$

Calculation:  $(5.32 \text{ lb/hr}) * (1900 \text{ hrs/yr}) * (0.0005 \text{ ton/lb}) = 5.05 \text{ ton/yr}$

**Filterable PM<sub>10</sub> Emissions:**

*Based on Emission Limit*

Emission Factor = 0.02 gr/dscf (permit limit, assume 50% of TSP is PM<sub>10</sub>, Department policy)

Calculation:  $(0.02 \text{ gr/dscf}) * (15,508 \text{ dscfm}) * (1 \text{ lb} / 7000 \text{ gr}) * (60 \text{ min/hr}) = 2.66 \text{ lb/hr}$

Calculation:  $(2.66 \text{ lb/hr}) * (1900 \text{ hrs/yr}) * (0.0005 \text{ ton/lb}) = 2.53 \text{ ton/yr}$

**Filterable PM<sub>2.5</sub> Emissions:**

*Based on Emission Limit*

Emission Factor = 0.0084 gr/dscf (permit limit, assume 21% of TSP is PM<sub>2.5</sub>, AP 42, Table 11.1-4, 3/04)

Calculation:  $(0.0084 \text{ gr/dscf}) * (15,508 \text{ dscfm}) * (1 \text{ lb} / 7000 \text{ gr}) * (60 \text{ min/hr}) = 1.12 \text{ lb/hr}$

Calculation:  $(1.12 \text{ lb/hr}) * (1900 \text{ hrs/yr}) * (0.0005 \text{ ton/lb}) = 1.06 \text{ ton/yr}$

**Condensable PM<sub>2.5</sub> Emissions:**

*Based on AP-42*

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

Control Efficiency = 0%

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.0194 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 10.14 \text{ ton/yr}$

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.0194 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 - 0/100) = 10.14 \text{ ton/yr}$

**CO Emissions:**

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

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.13 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 67.93 \text{ ton/yr}$

**NO<sub>x</sub> Emissions:**

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

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.055 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 28.74 \text{ ton/yr}$

**SO<sub>2</sub> Emissions:**

Emission Factor = 0.058 lb/ton (Waste oil-fired dryer, AP 42, Table 11.1-7, 3/04)

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.058 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 30.31 \text{ ton/yr}$

**VOC Emissions:**

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

Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.032 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 16.72 \text{ ton/yr}$

**Total HAPs Emissions:**

Emission Factor = 0.01 lb/ton (Waste oil-fired dryer with fabric filter, AP 42, Table 11.1-10, 3/04)

Calculation: (550 ton/hr) \* (1900 hrs/yr) \* (0.01 lb/ton) \* (ton/2000 lb) = 5.23 ton/yr

**Silo Filling**

Maximum Process Rate = 550 ton/hr (Maximum plant process rate)

Maximum Hours of Operation = 1,900 hrs/yr

**Filterable PM<sub>2.5</sub> Emissions:**

Assume all PM is CPM, AP 42, Table 11.1-14, footnote b, 3/04.

**Condensable PM<sub>2.5</sub> Emissions:**

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

Emission Factor =  $0.000332 + 0.00105(-V)e^{((0.0251)(T + 460) - 20.43)}$  = 0.00059 lb/ton (Total PM, AP-42, Table 11.1-14, footnote b, 3/04)

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: (550 ton/hr) \* (1900 hrs/yr) \* (0.00059 lb/ton) \* (ton/2000 lb) = 0.31 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: (550 ton/hr) \* (1900 hrs/yr) \* (0.01219 lb/ton) \* (ton/2000 lb) = 6.37 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: (550 ton/hr) \* (1900 hrs/yr) \* (0.00118 lb/ton) \* (ton/2000 lb) = 0.62 ton/yr

**Plant Load-Out (SCC 3-05-002-14)**

Maximum Process Rate = 550 ton/hr (Maximum plant process rate)

Maximum Hours of Operation = 1,900 hrs/yr

**Filterable PM<sub>2.5</sub> Emissions:**

Assume all PM is CPM, AP 42, Table 11.1-14, footnote b, 3/04.

**Condensable PM<sub>2.5</sub> Emissions:**

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

Emission Factor =  $0.000181 + 0.00141(-V)e^{((0.0251)(T + 460) - 20.43)}$  = 0.00052 lb/ton (Total PM, AP-42, Table 11.1-14, footnote b, 3/04)

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: (550 ton/hr) \* (1900 hrs/yr) \* (0.00052 lb/ton) \* (ton/2000 lb) = 0.27 ton/yr

**VOC Emissions:**

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:  $V = \text{Asphalt volatility} = -0.5$  (Default value per AP 42, Table 11.1-14, 3/04)  
 $T = \text{HMA mix temperature} = 325 \text{ F}$  (Default value per AP 42, Table 11.1-14, 3/04)  
Calculation:  $(550 \text{ ton/hr}) * (1900 \text{ hrs/yr}) * (0.00391 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) = 2.04 \text{ ton/yr}$

### **Lime Silo**

Flow Capacity = 150 cfm (silo emissions routed to primary baghouse)

Maximum Hours of Operation = 1,900 hrs/yr

#### **Filterable PM Emissions:**

Emission Factor = 0.04 gr/dscf (Permit limit per NSPS)

Calculation:  $(150 \text{ cfm}) * (1900 \text{ hrs/yr}) * (0.04 \text{ gr/dscf}) * (\text{lb}/7000 \text{ gr}) * (\text{ton}/2000 \text{ lb}) * (60 \text{ min/hr}) = 0.05 \text{ ton/yr}$

#### **Filterable PM<sub>10</sub> Emissions:**

Emission Factor = 0.02 gr/dscf (Department Policy)

Calculation:  $(150 \text{ cfm}) * (1900 \text{ hrs/yr}) * (0.02 \text{ gr/dscf}) * (\text{lb}/7000 \text{ gr}) * (\text{ton}/2000 \text{ lb}) * (60 \text{ min/hr}) = 0.02 \text{ ton/yr}$

#### **Filterable PM<sub>2.5</sub> Emissions:**

Emission Factor = 0.012 gr/dscf (Assume PM<sub>2.5</sub> = 30% of PM, AP-42, Appendix B-2, Category 4)

Calculation:  $(150 \text{ cfm}) * (1900 \text{ hrs/yr}) * (0.012 \text{ gr/dscf}) * (\text{lb}/7000 \text{ gr}) * (\text{ton}/2000 \text{ lb}) * (60 \text{ min/hr}) = 0.01 \text{ ton/yr}$

### **Haul Roads**

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

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

Hours of Operation = 1,900 hrs/yr

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

Where:  $k = \text{constant} = 4.9 \text{ lbs/VMT}$  (Value for PM<sub>30</sub>/TSP, 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)

$a = \text{constant} = 0.7$  (Value for PM<sub>30</sub>/TSP, AP 42, Table 13.2.2-2, 11/06)

$b = \text{constant} = 0.45$  (Value for PM<sub>30</sub>/TSP, AP 42, Table 13.2.2-2, 11/06)

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

Calculation:  $(1900 \text{ hrs/yr}) * (0.21 \text{ VMT/hr}) * (12.46 \text{ lb/VMT}) * (\text{ton}/2000 \text{ lb}) = 2.47 \text{ tons/yr}$  (Uncontrolled Emissions)

Calculation:  $(1900 \text{ hrs/yr}) * (0.21 \text{ VMT/hr}) * (12.46 \text{ lb/VMT}) * (\text{ton}/2000 \text{ lb}) * (1-50/100) = 1.23 \text{ tons/yr}$  (Apply 50% control efficiency)

#### **PM<sub>10</sub> 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 PM<sub>10</sub>, 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<sub>10</sub>, AP 42, Table 13.2.2-2, 11/06)

$b = \text{constant} = 0.45$  (Value for PM<sub>10</sub>, AP 42, Table 13.2.2-2, 11/06)

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

Calculation: (1900 hrs/yr) \* (0.21 VMT/hr) \* (3.43 lb/VMT) \* (ton/2000 lb) = 0.68 tons/yr (Uncontrolled Emissions)

Calculation: (1900 hrs/yr) \* (0.21 VMT/hr) \* (3.43 lb/VMT) \* (ton/2000 lb) \* (1-50/100) = 0.34 tons/yr (Apply 50% control efficiency)

#### **PM<sub>2.5</sub> 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 = constant = 0.15 lbs/VMT (Value for PM<sub>2.5</sub>, 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<sub>2.5</sub>, AP 42, Table 13.2.2-2, 11/06)

b = constant = 0.45 (Value for PM<sub>2.5</sub>, AP 42, Table 13.2.2-2, 11/06)

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

Calculation: (1900 hrs/yr) \* (0.21 VMT/hr) \* (0.34 lb/VMT) \* (ton/2000 lb) = 0.07 tons/yr (Uncontrolled Emissions)

Calculation: (1900 hrs/yr) \* (0.21 VMT/hr) \* (0.34 lb/VMT) \* (ton/2000 lb) \* (1-50/100) = 0.03 tons/yr (Apply 50% control efficiency)

#### **Diesel Generator Engine(s)**

Operational Capacity of Engine = 1,424 hp (combined capacity of 3 engines)

Hours of Operation = 1,900 hours

#### **Total PM/PM<sub>10</sub>/PM<sub>2.5</sub> Emissions:**

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

Calculation: (1,900 hours) \* (1,424 hp) \* (0.0022 lbs/hp-hr) \* (ton/2000 lb) = 2.98 ton/yr

#### **NO<sub>x</sub> Emissions:**

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

Calculation: (1,900 hours) \* (1,424 hp) \* (0.031 lbs/hp-hr) \* (ton/2000 lb) = 41.94 ton/yr

#### **CO Emissions:**

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

Calculation: (1,900 hours) \* (1,424 hp) \* (0.00668 lbs/hp-hr) \* (ton/2000 lb) = 9.04 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: (1,900 hours) \* (1,424 hp) \* (0.0025141 lbs/hp-hr) \* (ton/2000 lb) = 3.40 ton/yr

#### **SO<sub>2</sub> Emissions:**

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

Calculation: (1,900 hours) \* (1,424 hp) \* (0.00205 lbs/hp-hr) \* (ton/2000 lb) = 2.773 ton/yr

### **V. Air Quality Impacts**

MAQP #4729-00 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 that the impact from this permitting action will be minor. The Department believes that the facility 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)
	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.

**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:* Poe Asphalt Inc.

*Montana Air Quality Permit number:* 4729-00

*Preliminary Determination Issued:* 4/6/12

*Department Decision Issued:* 5/11/12

*Permit Final:* 5/30/12

1. *Legal Description of Site:* Poe Asphalt Inc. (Poe Asphalt) would operate a portable drum mix asphalt plant, which would initially be located in SW¼ NW¼ of Section 19, Township 18 North, Range 27 West, in Mineral County, Montana. However, Montana Air Quality Permit (MAQP) #4729-00 would apply while operating at any location in Montana, except those areas having a Department of Environmental Quality (Department)-approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) nonattainment areas.
2. *Description of Project:* Poe Asphalt would operate a portable drum mix asphalt plant and associated equipment with a 550 ton per hour (TPH) maximum production capacity and three diesel-fired generator engines with a combined capacity of up to 1,424 hp at various locations throughout Montana.
3. *Objectives of Project:* The objective of this project would be to produce revenue for Poe Asphalt through the sale and use of asphalt. The issuance of the permit would allow Poe Asphalt 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 Poe Asphalt 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 #4729-00.
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 species occurrence reports of two plant species of concern (Coville's Rush and Clustered Lady-slipper) within sections located near the proposed project section. However, these species occurrence locations are not within the proposed facility location which would be within an existing and previously disturbed gravel pit.

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 #4729-00 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 pit that is on private land that is permitted for use as an opencut operation. Approximately one acre of land would be disturbed as part of this proposed action. The operation of the proposed equipment would be visible and audible. There is a trailer court located approximately 450 feet to the northwest from the pit area boundary. Two lumber mills are located adjacent to the site as well. Any disturbance to the aesthetic value of the area would be minor because of its location within an existing pre-disturbed industrial site.

#### 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 #4729-00 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 potential emissions are below the major source threshold level of 100 tons per year for any regulated pollutant due to federally enforceable permit conditions which limit the total annual hours of operation and annual asphalt production. 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 potential emissions 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 (SW¼ NW¼ of Section 19, Township 18 North, Range 27 West, in Mineral County, Montana), the Department contacted the Montana Natural Heritage Program (MNHP). Search results concluded there are 11 known 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. Species of concern include the bird species of Great Blue Heron, Bald Eagle, Pileated Woodpecker, Clark's Woodpecker, and Cassin's Finch; fish species of Westslope Cutthroat Trout and Bull Trout; mammal species of Fisher and Wolverine; and plant species of Coville's Rush and Clustered Lady-slipper. The proposed facility location is on an existing industrial site that is already disturbed from previous gravel pit activities and near two operating lumber mills; therefore, there are no anticipated impacts to any unique endangered, fragile, or limited environmental resources. In addition, this source would be considered a minor source of emissions with intermittent and seasonal operations.

#### 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 generator engines. 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 has been one previously recorded historical or archaeological site within the section proposed for initial operation, as well as four previously conducted cultural resource inventories done in the area. The historical site is a state-owned historical outbuilding from the 1930-1939 time period. 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 and that a cultural resource inventory is unwarranted at this time. Therefore, no impacts to historical or archaeological sites would be expected as a result of operating the asphalt plant at the proposed location because it would occur within an existing open cut pit in an industrial area. 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 with no existing social structures or mores.

**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. 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 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. 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 #4729-00 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 and mineral filler storage emissions, water spray for fugitive emissions, and other process limits that would be required by MAQP #4729-00. 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. Poe Asphalt has stated that they plan to operate the plant with three employees and a maximum of 20 truck drivers. Because the operation would be seasonal, no individuals would be expected to permanently relocate as a result of operating the portable asphalt plant. Therefore, there would be minor affects on the quantity and distribution of employment in this area.

#### 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. Poe Asphalt would be allowed by MAQP #4729-00 to operate the portable asphalt plant and associated equipment in areas designated by the United States Environmental Protection Agency (US EPA) as attainment or unclassified for ambient air quality. MAQP #4729-00 contains 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 Poe Asphalt, 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 portable asphalt plant. MAQP #4729-00 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

Date: 3/20/12