Montana Department of
ENVIRONMENTAL QUALITY
Brian Schweitzer, Governor
P. O. Box 200901 Helena, MT 59620-0901 (406) 444-2544 Website: www.deq.mt.gov

July 24, 2012

Shayne Bishop
P.O. Box 193
Malta, MT 59538

Dear Mr. Bishop:

Montana Air Quality Permit #4761-00 is deemed final as of July 24, 2012, by the Department of Environmental Quality (Department). This permit is for a portable crushing and screening operation. 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

Shawn Juers
Environmental Engineer
Air Resources Management Bureau
(406) 444-2049

VW:SJ
Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Montana Air Quality Permit #4761-00

Bishop, Inc.
P.O. Box 193
Malta, MT 59538

July 24, 2012

MONTANA AIR QUALITY PERMIT

Issued To: Bishop, Inc.
P.O. Box 193
Malta, MT 59538

MAQP: # 4761-00
Application Complete: June 1, 2012
Preliminary Determination Issued: June 19, 2012
Department's Decision Issued: July 6, 2012
Permit Final: July 24, 2012
AFS #:777-4761

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

MAQP #4761-00 is for a portable crushing and screening operation which includes the following equipment:

- One (1) screen with a maximum rated capacity of 125 ton per hour (TPH)
- One (1) crusher with a maximum capacity rated at 125 TPH
- Five (5) conveyors
- One (1) generator engine with a maximum rating of 200 brake-horsepower (bhp)
- Additional emission generating activities including pile forming and travel on unpaved roads/areas
- Associated equipment

B. Plant Location

Bishop operates a portable crushing and screening operation, which will initially be located at Section 10, Township 27 North, Range 47 East, in Roosevelt County, Montana (48.104111° N, 105.633753° W). This initial location is located within the Fort Peck Indian Reservation and therefore an MAQP is not required for operations in this location. However, Bishop, Inc, has indicated that a permit is desired for any jobs which the applicant may wish to bid on for areas outside of the Fort Peck Indian Reservation. MAQP #4761-00 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_{10}) 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_{10} nonattainment areas.

The equipment will be located at 101 Green Acres Road in Malta, Montana when a need for equipment storage is required. This location is a storage location only. The legal description of the location is Section 7, Township 30 North, Range 30 East, in Phillips County, Montana. No open cut pit is located at this location.

SECTION II: Conditions and Limitations

A. Emission Limitations

1. All visible emissions from any Standards of Performance for New Stationary Source (NSPS) – affected crusher shall not exhibit an opacity in excess of the following averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 Code of Federal Regulations (CFR) 60, Subpart OOO):

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

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

2. All visible emissions from any other NSPS-affected equipment for which requirements of 40 CFR 60 Subpart OOO are applicable shall not exhibit an opacity in excess of the following averaged over 6 consecutive minutes (ARM 17.8.752, ARM 17.8.340 and 40 CFR 60, Subpart OOO):

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

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

3. All visible emissions from any non-NSPS affected equipment shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304 and ARM 17.8.752).

4. Water and spray bars shall be available on-site at all times and operated as necessary to maintain compliance with the opacity limitations in Sections II.A.1, II.A.2, and II.A.3 (ARM 17.8.749 and ARM 17.8.752).

5. Bishop shall not cause or authorize the use of any street, road or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).

6. Bishop shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation in Section II.A.5 (ARM 17.8.749 and ARM 17.8.752).

7. Bishop shall not operate more than one crusher at any given time and the maximum rated design capacity of the crusher shall not exceed 125 tons per hour (TPH) (ARM 17.8.749).

8. Bishop shall not operate more than one screen at any given time and the maximum rated design capacity of the screen shall not exceed 125 TPH (ARM 17.8.749).

9. Bishop shall not operate or have on-site more than one diesel-fired engine/generator. The maximum capacity of the engine that drives the generator shall not exceed 200 hp (ARM 17.8.749).

10. If the permitted equipment is used in conjunction with any other equipment owned or operated by Bishop, 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).

11. Bishop shall comply with all applicable standards and limitations, monitoring, reporting, recordkeeping, testing, and notification requirements contained in 40 CFR 60, Subpart OOO, *Standards of Performance for Nonmetallic Mineral Processing Plants* (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

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

B. Testing Requirements

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

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

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

C. Operational Reporting Requirements

1. If this crushing/screening 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. Bishop 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.

3. 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).

4. Bishop 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).

5. Bishop shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. The records compiled in accordance with this permit shall be maintained by Bishop 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).

D. Notification

Bishop shall provide the Department with written notification of the actual start-up date of the crushing and screening operation postmarked within 15 days after the actual start-up date (ARM 17.8.749).

SECTION III: General Conditions

A. Inspection – Bishop 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 (continuous emissions monitoring system(CEMS) or continuous emissions rate monitoring system 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 Bishop fails to appeal as indicated below.

C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Bishop 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), Montana Code Annotated (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 Bishop 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. Bishop 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
Bishop, Inc
MAQP #4761-00

I. Introduction/Process Description

Bishop, Inc (Bishop) owns and operates a portable crushing and screening operation.

A. Permitted Equipment

MAQP #4761-00 is for a portable crushing and screening operation which includes the following equipment:

- One (1) screen with a maximum rated capacity of 125 ton per hour (TPH)
- One (1) crusher with a maximum capacity rated at 125 TPH
- Five (5) conveyors
- One (1) generator engine with a maximum rating of 200 brake-horsepower (bhp)
- Additional emission generating activities including pile forming and travel on unpaved roads/areas
- Associated equipment

B. Source Description

Bishop's home pit is located at 101 Green Acres Road in Malta, MT. This location is a storage location only. The legal description of the location is Section 7, Township 30 North, Range 30 East, in Phillips County, Montana.

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 locations of complete copies of all applicable rules and regulations 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).

Bishop 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 17.8.204 Ambient Air Monitoring
2. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
3. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
4. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
5. ARM 17.8.213 Ambient Air Quality Standard for Ozone
6. ARM 17.8.214 Ambient Air Quality Standard for Hydrogen Sulfide
7. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
8. ARM 17.8.221 Ambient Air Quality Standard for Visibility
9. ARM 17.8.222 Ambient Air Quality Standard for Lead
10. ARM 17.8.223 Ambient Air Quality Standard for PM_{10}

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

7. ARM 17.8.340 Standard of Performance for New Stationary Sources and Emission Guidelines for Existing Sources. This rule incorporates, by reference, 40 Code of Federal Regulations (CFR) Part 60, Standards of Performance for New Stationary Sources (NSPS). Bishop may be 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 OOO – Standards of Performance for Nonmetallic Mineral Processing Plants. In order for a crushing 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.

      The current equipment has a throughput rating of 125 TPH. Pursuant to 40 CFR 60.670(c)(2), portable sand and gravel plants and crushed stone plants with capacities of 150 tons per hour and less are not subject to the provisions of this subpart.

   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 Bishop, the CI ICE equipment to be used under MAQP #4761-00 is potentially subject to this subpart, as the permit is written in a de minimis friendly manner. Should an engine be manufactured after April 1, 2006, this subpart would potentially apply.

8. ARM 17.8.342 Emission Standards for Hazardous Air Pollutants for Source Categories. This rule incorporates, by reference, 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories. Bishop is potentially an affected facility under 40 CFR Part 63 and may be 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.

As Bishop is considered an area source of HAP emissions and operates RICE equipment, the engine is potentially subject to this subpart depending upon the location, nature, and duration of operation.

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. Bishop 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 of any pollutant. Bishop has a PTE greater than 15 tons per year of Particulate Matter and oxides of nitrogen; 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. Bishop 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. Bishop submitted an affidavit of publication of public notice for the May 17, 2012, issue of *The Herald News*, a newspaper of general circulation in the Town of Wolf Point in Roosevelt 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 Bishop 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 Modifications--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/year of any pollutant;

b. PTE > 10 tons/year of any one hazardous air pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or lesser quantity as the Department may establish by rule; or

c. PTE > 70 tons/year of particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}) in a serious PM_{10} nonattainment area.

2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing MAQP #4761-00 for Bishop, the following conclusions were made:

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

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

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

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

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

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.

Based on these facts, the Department has determined that Bishop will be a minor source of emissions as defined under Title V. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, Bishop may be required to obtain a Title V Operating Permit.

III. BACT Determination

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

Diesel Generator Engine Emissions

Generally, any newer diesel engines would likely be required to comply with federal engine emission limitations including, for example, EPA Tier emission standards for non-road engines (40 CFR Part 1039), New Source Performance Standard emission limitations for stationary compression ignition engines (40 CFR 60, Subpart IIII), or National Emissions Standards for Hazardous Air Pollutant Sources for Reciprocating Internal Combustion Engines (40 CFR 63, Subpart ZZZZ).

The Department has determined that compliance with any applicable federal standards, with no additional requirements, constitutes BACT for the generator engine.

Process and Fugitive Particulate Emissions

Two types of emissions controls are readily available and used for dust suppression of fugitive emissions at the site, fugitive emissions for the surrounding area of operations, and for equipment emissions from the crushing operation. These two control methods are water and/or chemical dust suppressant. Chemical dust suppressant could be used for dust suppression on the area surrounding the operation and for emissions from the operation. However, because water is more readily available, is more cost effective, is often equally effective as chemical dust suppressant, and is more environmentally friendly, water has been identified as the most appropriate method of pollution control of particulate emissions for the general plant area. In addition, water suppression has been required of recently permitted similar sources. Individual site circumstances may, however, necessitate the use of chemical dust suppressant to assist in controlling particulate emissions from the haul road and surrounding plant area. The Department determined that use of water and/or chemical dust suppressant, as necessary, constitutes 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**

Bishop, Inc MAQP #4761-00 Potential To Emit							
Source	**PM**	**PM_{10}**	**$PM_{2.5}$**	**NO_X**	**CO**	**VOC**	**SO_X**
125 TPH Crusher	0.16	0.07	0.00				
125 TPH Screen	0.20	0.12	0.11				
Transfer Points	0.04	0.01	0.00				
Piles	17.21	8.14	1.23				
200 bhp Generator Engine	1.93	1.93	1.93	27.16	5.85	2.20	1.80
Haul Roads	4.17	1.51	0.15				
Total:	**23.71**	**11.78**	**3.43**	**27.16**	**5.85**	**2.20**	**1.80**

Footnotes:

No limits on hours of operation were required

** AP-42 = Environmental Protection Agency compilation of air pollutant emissions factors - http://www.epa.gov/ttnchie1/ap42/
CO = carbon monoxide
HAPs = hazardous air pollutants
hp = horsepower
lb = pound
MPH = miles per hour
N/A = not applicable
ND = no data available
NOAA = National Oceanic and Atmospheric Administration
NO_X = oxides of nitrogen
PM = particulate matter
PM_{10} = particulate matter with an aerodynamic diameter of 10 microns or less
$PM_{2.5}$ = particulate matter with an aerodynamic diameter of 2.5 microns or less
SO_X = oxides of sulfur
TPH = tons per hour
TPY = tons per year
VMT = vehicle miles traveled
VOC = volatile organic compounds
yr = year

125 TPH Screen

Maximum Rated Capacity:	125	TPH
Operating Hours	8760	hr/yr

PM Emissions

Emissions Factor:	0.0036	lb/ton	(AP-42 Table 11.19.2-2, 08/2004)	
Calculations:	0.0036lb/ton*125TPH*8760hr/yr*0.0005 ton/lb =		**0.20**	**TPY**

PM_{10} Emissions

Emissions Factor:	0.0022	lb/ton	(AP-42 Table 11.19.2-2, 08/2004)	
Calculations:	0.0022lb/ton*125TPH*8760hr/yr*0.0005 ton/lb =		**0.12**	**TPY**

$PM_{2.5}$ Emissions

Emissions Factor:	0.00205	lb/ton	(linear extrapolation - AP-42 Table 11.19.2-2, 08/2004)		
Calculations:	0.00205lb/ton*125TPH*8760hr/yr*0.0005 ton/lb =			**0.11**	**TPY**

Conveyor Transfer Points

Maximum Rated Capacity:	125	TPH
Operating Hours	8760	hr/yr
Transfer Points	5	

PM Emissions

Emissions Factor:	0.00014	lb/ton	(AP-42 Table 11.19.2-2, 08/2004)		
Calculations:	0.00014lb/ton*125TPH*8760hr/yr*0.0005 ton/lb =			0.008	TPY
	0.007665TPY*5 =			**0.04**	**TPY**

PM_{10} Emissions

Emissions Factor:	0.000046	lb/ton	(AP-42 Table 11.19.2-2, 08/2004)		
Calculations:	0.000046lb/ton*125TPH*8760hr/yr*0.0005 ton/lb =			0.003	TPY
	0.0025185TPY*5 =			**0.01**	**TPY**

$PM_{2.5}$ Emissions

Emissions Factor:	0.000013	lb/ton	(AP-42 Table 11.19.2-2, 08/2004)		
Calculations:	0.000013lb/ton*125TPH*8760hr/yr*0.0005 ton/lb =			0.001	TPY
	0.00071175TPY*5 =			**0.004**	**TPY**

125 TPH Crusher

Maximum rated capacity:	125	TPH
Operating Hours:	8760	hr/yr

PM Emissions

Emissions Factor:	0.003	lb/ton	(AP-42 Table 11.19.2-2, 08/2004)		
Calculations:	0.003lb/ton*125TPH*8760hr/yr*0.0005 ton/lb =			**0.16**	**TPY**

PM_{10} Emissions

Emissions Factor:	0.0012	lb/ton	(AP-42 Table 11.19.2-2, 08/2004)		
Calculations:	0.0012lb/ton*125TPH*8760hr/yr*0.0005 ton/lb =			**0.07**	**TPY**

$PM_{2.5}$ Emissions

Emissions Factor:	0.00007 lb/ton	(AP-42 Table 11.19.2-2, 08/2004)	
Calculations:	0.00007lb/ton*125TPH*8760hr/yr*0.0005 ton/lb =	**0.004**	**TPY**

Pile(s)

For calculation purposes, 1 pile at 125 TPH accounts for product piles

Process Rate:	125	TPH
Hours of Operation:	8760	hr/yr

$$E := k(0.0032)\frac{\left(\frac{U}{5}\right)^{1.3}}{\left(\frac{M}{2}\right)^{1.4}}$$

AP-42 13.2.4

	PM	PM_{10}	$PM_{2.5}$	
k =	0.74	0.35	0.053	
U =	9.1	MPH - MT average from NOAA		
M =	0.55	average of controlled moisture contents - AP-42 Table 11.19.2-2 note b		

PM Emissions

Emissions Factor:	0.0314347 lb/ton handled		
Calculations:	0.0314346573743194lb/ton handled*125TPH=	3.929332	lb/hr
	3.92933217178992lb/hr*8760hr/yr*0.0005 ton/lb =	**17.21**	**ton/yr**

PM_{10} Emissions

Emissions Factor:	0.014868 lb/ton handled		
Calculations:	0.014868lb/ton handled*125TPH=	1.8585	lb/hr
	1.8585lb/hr*8760hr/yr*0.0005 ton/lb =	**8.14**	**ton/yr**

$PM_{2.5}$ Emissions

Emissions Factor:	0.002251	lb/ton handled		
Calculations:	0.002251lb/ton handled*125TPH=		0.281375	lb/hr
	0.281375lb/hr*8760hr/yr*0.0005 ton/lb =		**1.23**	**ton/yr**

200 bhp Diesel Engine

Maximum Rated Capacity:	200	hp		
Operating Hours:	8760	hr/yr		

$PM/PM_{10}/PM_{2.5}$ Emissions

Emissions Factor:	0.0022	lb/hp-hr		
Calculations:	0.0022lb/hp-hr*200hp=		0.44	lb/hr
	0.44lb/hr*8760hr/yr*0.0005 ton/lb =		**1.93**	**ton/yr**

NO_X Emissions

Emissions Factor:	0.031	lb/hp-hr		
Calculations:	0.031lb/hp-hr*200hp=		6.2	lb/hr
	6.2lb/hr*8760hr/yr*0.0005 ton/lb =		**27.16**	**ton/yr**

CO Emissions

Emissions Factor:	0.00668	lb/hp-hr		
Calculations:	0.00668lb/hp-hr*200hp=		1.336	lb/hr
	1.336lb/hr*8760hr/yr*0.0005 ton/lb =		**5.85**	**ton/yr**

SO_X Emissions

Emissions Factor:	0.00205	lb/hp-hr		
Calculations:	0.00205lb/hp-hr*200hp=		0.41	lb/hr
	0.41lb/hr*8760hr/yr*0.0005 ton/lb =		**1.80**	**ton/yr**

VOC Emissions

Emissions Factor:	0.0025141	lb/hp-hr		
Calculations:	0.0025141lb/hp-hr*200hp=		0.50282	lb/hr
	0.50282lb/hr*8760hr/yr*0.0005 ton/lb =		**2.20**	**ton/yr**

Haul Roads

Vehicle Miles Traveled:	5	miles/day	(estimated)
W =	50	ton	(estimated)
E =	k*((s/12)^a)*(W/3)^b		(AP-42 Table 13.2.2-1, 11/2006)

	PM	PM_{10}	$PM_{2.5}$
k =	4.9	1.5	0.15
a =	0.7	0.9	0.9
b =	0.45	0.45	0.45

s = 10

PM Emissions

Emissions Factor:	9.15	lb/VMT	
Calculations:	9.15lb/VMT*5miles/day (estimated)=	45.75	lb/day
	45.75lb/day*365 day/yr * 0.0005 ton/lb =	8.35	ton/yr
	50% control efficiency (AP-42 Figure 13.2.2-2 and MAQP Condition) (Department Guidance)	**4.17**	**ton/yr**

PM_{10} Emissions

Emissions Factor:	3.317	lb/VMT	
Calculations:	3.317lb/VMT*5miles/day (estimated)=	16.585	lb/day
	16.585lb/day*365 day/yr * 0.0005 ton/lb =	3.03	ton/yr
	50% control efficiency (AP-42 Figure 13.2.2-2 and MAQP Condition) (Department Guidance)	**1.51**	**ton/yr**

$PM_{2.5}$ Emissions

Emissions Factor:	0.33	lb/VMT	
Calculations:	0.33lb/VMT*5miles/day (estimated)=	1.65	lb/day
	1.65lb/day*365 day/yr * 0.0005 ton/lb =	0.30	ton/yr
	50% control efficiency (AP-42 Figure 13.2.2-2 and MAQP Condition) (Department Guidance)	**0.15**	**ton/yr**

V. Existing Air Quality

This permit is for a portable facility to be located in areas which have been designated unclassified/attainment with all ambient air quality standards. MAQP #4761-00 applies 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 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}) nonattainment areas.

VI. Air Quality Impacts

This permit contains conditions and limitations that would protect air quality for the site and surrounding area. Furthermore, this facility is a portable source that would likely operate on an intermittent and temporary basis. Any effects to air quality will be minor and likely of limited duration.

VII. Ambient Air Impact Analysis

Based on the information provided and the conditions established in MAQP #4761-00, the Department determined that the impact from this permitting action will be minor.

VIII. Taking or Damaging Implication Analysis

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

YES	NO	
XX		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	XX	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	XX	3. Does the action deny a fundamental attribute of ownership? (ex.: right to exclude others, disposal of property)
	XX	4. Does the action deprive the owner of all economically viable uses of the property?
	XX	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?
	XX	6. Does the action have a severe impact on the value of the property? (consider economic impact, investment-backed expectations, character of government action)
	XX	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?
	XX	7a. Is the impact of government action direct, peculiar, and significant?
	XX	7b. Has government action resulted in the property becoming practically inaccessible, waterlogged or flooded?
	XX	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?
	XX	Takings or damaging implications? (Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b; the shaded areas)

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

IX. Environmental Assessment

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: Bishop, Inc.

Montana Air Quality Permit number: 4761-00

Preliminary Determination Issued: June 19, 2012
Department Decision Issued: July 6, 2012
Permit Final: July 24, 2012

1. *Legal Description of Site*: The initial location for this portable crushing and screening operation is Section 10, Township 27 North, Range 47 East, in Roosevelt County, Montana.

2. *Description of Project*: Montana Air Quality Permit (MAQP) #4761-00 would be issued for the operation of a portable crushing and screening operation, which would consist of a 125 ton per hour screen, 125 ton per hour crusher, 200 brake-horsepower generator engine, and 5 conveyors.

3. *Objectives of Project*: To produce crushed and screened mineral products.

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 Bishop, Inc (Bishop) 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 Best Available Control Technology analysis, would be included in MAQP #4761-00.

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			XX			Yes
B	Water Quality, Quantity, and Distribution			XX			Yes
C	Geology and Soil Quality, Stability and Moisture			XX			Yes
D	Vegetation Cover, Quantity, and Quality			XX			Yes
E	Aesthetics			XX			Yes
F	Air Quality			XX			Yes
G	Unique Endangered, Fragile, or Limited Environmental Resources			XX			Yes
H	Demands on Environmental Resource of Water, Air and Energy			XX			Yes
I	Historical and Archaeological Sites			XX			Yes
J	Cumulative and Secondary Impacts			XX			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

The Department would expect no more than minor impacts to terrestrial and aquatic life because MAQP #4761-00 would have limitations and conditions which would limit allowable emissions to relatively minor levels. MAQP #4761-00 would apply to a source just over the emissions threshold which requires a permit.

B. Water Quality, Quantity and Distribution

Water would be required for dust suppression on the processing equipment, haul road(s), and surrounding operational area. However, the Department would expect only minor impacts to water quality, quantity, and distribution, as the operation is small in comparison to other similar operations, and water usage would only be required as necessary.

C. Geology and Soil Quality, Stability and Moisture

Water would be required for dust suppression on the processing equipment, haul road(s), and surrounding operational area. Portable crushing and screening operations typically operate with an open cut pit. Impacts to geology, soil quality, stability, and moisture, as a result of the crushing and screening operations, would be expected to be minor.

D. Vegetation Cover, Quantity, and Quality

MAQP #4761-00 would permit the operation of a source of particulate matter emissions. The permit would contain conditions and limitations which would require control of particulate emissions to a level which the Department believes would limit the impacts from deposition to any surrounding vegetation. Impacts to vegetation cover, quantity, and quality, would be expected to be minor.

E. Aesthetics

The facility would be audible and visible. Activity would likely occur within the existing open cut mine. MAQP #4761-00 would contain conditions to control visible emissions from the crushing and screening operation. The portable operation would likely operate on an intermittent, seasonal, and temporary basis; however, the Department would expect only minor impacts to aesthetics as a result of issuance of MAQP #4761-00.

F. Air Quality

MAQP #4761-00 would contain limitations and conditions derived from rules intended to protect air quality. The allowable emissions from the facility would be minor on an industrial scale, and any impacts to air quality would be expected to be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

As described in Section 7.D of this environmental assessment, impacts to Vegetation Cover, Quantity, and Quality from pollutant deposition would be expected to be minor. Conditions and limitations in MAQP #4761-00 would limit the allowable emissions of particulate matter. Control of fugitive dust emissions would also be required. Furthermore, because the equipment would typically operate in an area in which open cut operations have previously been conducted, the project would likely not significantly increase disturbance within such an area. As described in Section 7.F, the Department determined that impacts to air quality would be minor. As described in Section 7.A and 7.B, impacts to terrestrials and water quality would be expected to be minor. With these considerations, the Department would expect only minor impacts to any unique endangered, fragile, or limited environmental resources in the area.

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

MAQP #4761-00 would require use of water to control particulate matter emissions. The potential to emit would be limited based on the permit conditions, limiting the demand on air resources. Energy demands would be present in the form of diesel fuel to operate the diesel-fired generator engine; however, these demands would be expected to be minor.

Demands on water, air, and energy resources would be expected to be minor.

I. Historical and Archaeological Sites

A portable crushing and screening operation typical operates within an open cut pit location. The Department would expect no more than minor impacts to any historical or archaeological sites in such areas as a direct result of issuance of MAQP #4761-00.

J. Cumulative and Secondary Impacts

The Department would expect minor impacts to the individual physical and biological considerations above. Cumulative and secondary impacts would be expected to 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			XX			Yes
B	Cultural Uniqueness and Diversity			XX			Yes
C	Local and State Tax Base and Tax Revenue			XX			Yes
D	Agricultural or Industrial Production			XX			Yes
E	Human Health			XX			Yes
F	Access to and Quality of Recreational and Wilderness Activities			XX			Yes
G	Quantity and Distribution of Employment			XX			Yes
H	Distribution of Population			XX			Yes
I	Demands for Government Services			XX			Yes
J	Industrial and Commercial Activity			XX			Yes
K	Locally Adopted Environmental Plans and Goals			XX			Yes
L	Cumulative and Secondary Impacts			XX			Yes

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

A. Social Structures and Mores
B. Cultural Uniqueness and Diversity

As the portable crushing and screening operations would be small and only require a few employees, and would likely operate in existing open cut pits, any impacts or changes to the accepted traditional customs and usages of the area, and the patterned social arrangements which form the society as a whole, would be expected to be minor. Likewise, any impacts to cultural uniqueness and diversity would be expected to be minor.

C. Local and State Tax Base and Tax Revenue

MAQP #4761-00 would permit the operation of a small portable crushing and screening operation. The operation is a rather small operation for this source category. Any impacts to local and state tax base and tax revenue would be expected to be minor.

D. Agricultural or Industrial Production

MAQP #4761-00 would permit operations of a small portable crushing and screening operation, with an initial location within an existing open cut pit. Particulate matter emissions would be expected; however, the limitations and conditions in the permit would limit those emissions, and therefore limit the amount of particulate matter available for deposition in the surrounding areas. Use of haul trucks and haul roads would be expected as a part of the normal operations associated with this permit. The Department would expect only minor impacts to agricultural or industrial production in the area.

E. Human Health

MAQP #4761-00 would contain limitations and conditions derived from rules intended to protect human health. Further, the facility is small for the source category, and allowable emissions are small on an industrial scale. The Department would expect no more than minor impacts to human health.

F. Access to and Quality of Recreational and Wilderness Activities

The Department is not aware of any access to recreational or wilderness activities which would be directly impacted by issuance of MAQP #4761-00. The initial location is within an existing open cut pit, which is a typical location for this type of operation. Noise from the operation would be expected, and the equipment may be visible, however, the MAQP would contain limitations and conditions which would limit the visible emissions from the operation. The Department would expect minor impacts to access to and quality of recreational and wilderness activities.

G. Quantity and Distribution of Employment
H. Distribution of Population

MAQP #4761-00 would permit a small portable crushing and screening operation, which would be expected to require no more than a few employees to operate. With only a few employees needed, and the likely intermittent, temporary, and seasonal operations, any impact to quantity and distribution of employment and distribution of population would be expected to be minor.

I. Demands for Government Services

As a permitted source, demands for government services would include review of reports required by the permit as well as other compliance related activities. As a true minor with respect to the Title V program, demands for government services would be minimal as a direct result of the requirement to obtain an air quality permit. Only minor impacts to demands for government services would be expected.

J. Industrial and Commercial Activity

MAQP #4761-00 would permit operations of a small portable crushing and screening operation. The facility is relatively small for the source category, and small on an industrial scale. No more than minor impacts to industrial and commercial activity would be expected as a result of issuance of MAQP #4761-00.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans or goals which issuance of MAQP #4761-00 would impact. MAQP #4761-00 would contain limitations and conditions derived from rules intended to protect human health and the environment.

L. Cumulative and Secondary Impacts

The Department determined minor impacts would be expected for the individual economic and social considerations above. The Department would expect cumulative and secondary impacts to be minor.

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 crushing and screening operation. MAQP #4761-00 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: Shawn Juers
Date: 6/11/2012