



PRELIMINARY DETERMINATION  
ON PERMIT APPLICATION

Date of Mailing: August 17, 2016

Name of Applicant: Nelcon, Inc.

Source: Crusher and Screen

Proposed Action: The Department of Environmental Quality (Department) proposes to issue a permit, with conditions, to the above-named applicant. The application was assigned Montana Air Quality Permit Application Number 5164-00.

Proposed Conditions: See attached.

Public Comment: Any member of the public desiring to comment must submit such comments in writing to the Air Quality Bureau (Bureau) of the Department at the above address. Comments may address the Department's analysis and determination, or the information submitted in the application. In order to be considered, comments on this Preliminary Determination are due by September 1, 2016. Copies of the application and the Department's analysis may be inspected at the Bureau's office in Helena. For more information, you may contact the Department.

Departmental Action: The Department intends to make a decision on the application after expiration of the Public Comment period described above. A copy of the decision may be obtained at the above address. The permit shall become final on the date stated in the Department's Decision on this permit, unless an appeal is filed with the Board of Environmental Review (Board).

Procedures for Appeal: Any person jointly or severally adversely affected by the final action may request a hearing before the Board. Any appeal must be filed by the date stated in the Department's Decision on this permit. The request for a hearing shall contain an affidavit setting forth the grounds for the request. Any hearing will be held under the provisions of the Montana Administrative Procedures Act. Submit requests for a hearing in triplicate to: Chairman, Board of Environmental Review, P.O. Box 200901, Helena, MT 59620.

For the Department,

A handwritten signature in black ink that reads "Julie A. Merkel".

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

A handwritten signature in black ink that reads "Rhonda Payne".

Rhonda Payne  
Environmental Science Specialist  
Air Quality Bureau  
(406) 444-5287

JM:RP  
Enclosure

## MONTANA AIR QUALITY PERMIT

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

MAQP: #5164-00  
Application Complete: 07/12/2016  
Preliminary Determination Issued: 08/17/2016  
Department's Decision Issued:  
Permit Final:  
State ID #: 777-5164

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

### SECTION I: Permitted Facilities

#### A. Permitted Equipment

Nelcon portable crushing and screening operations shall include:

- Two aggregate crushers with a combined capacity up to 900 tons per hour (tph)
- Two aggregate screens with a maximum 900 tph rating
- Two diesel-fired engines, package engines or generator set engines, with combined capacity rating not to exceed 1461 horsepower (hp)
- Associated equipment, such as; feeders, conveyors (including integrated equipment conveyors), stackers, and other material handling equipment.

#### B. Plant Location

Nelcon proposes to operate a portable crushing and screening facility, which will have a home pit located at Section 36, Township 30N, Range 21W in Flathead County, Montana. However, MAQP 5164-00 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.*

Addendum #1 will apply to the Nelcon facility while operating at locations in or within 10 km of designated PM<sub>10</sub> nonattainment areas, including the Kalispell home pit.

### 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 and 40 CFR 60, Subpart OOO):

- For crushers that commence construction, modification, or reconstruction on or after April 22, 2008: 12% opacity
  - For crushers that commence construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008: 15% opacity
2. All visible emissions from any other NSPS-affected equipment (such as screens and conveyors) shall not exhibit an opacity in excess of the following averaged over six consecutive minutes (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).
  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 17.8.752).
  5. Nelcon shall not cause or authorize the use of any street, road or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).
  6. Nelcon shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation in Section II.A.5 (ARM 17.8.749).
  7. Nelcon shall not operate more than two crushers at any given time and the total combined maximum rated design capacity of the crushers shall not exceed 900 tons per hour (tph) (ARM 17.8.749).
  9. Nelcon shall not operate more than two screens at any given time and the total combined maximum rated design capacity of the screens shall not exceed 900 tph (ARM 17.8.749).
  10. Nelcon shall not operate or have on-site more than two diesel-fired engines, including generator sets, where the combined maximum capacity of the engines shall not exceed 1461 brake-horsepower (bhp) and the engine shall be compliant with the Environmental Protection Agency's (EPA) non-road compression-ignition engine Tier 2 or higher emission standards pursuant to 40 CFR Part 89.112 (ARM 17.8.749).

11. If the permitted equipment is used in conjunction with any other equipment owned or operated by Nelcon, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).
12. Nelcon shall comply with all applicable standards and limitations, 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).
13. Nelcon 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. Nelcon shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but not be limited to, all sources of emissions identified in the emission inventory contained in the permit analysis.

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

3. Nelcon shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745, that would include ***the addition of a new emissions unit***, change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation. The notice must be submitted to the Department, in writing, 10 days prior to startup or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(l)(d) (ARM 17.8.745).
4. Nelcon shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. The records compiled in accordance with this permit shall be maintained by Nelcon as a permanent business record for at least 5 years following the date of the measurement, must be available at the plant site for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).

D. Notification

Nelcon shall provide the Department with written notification of the actual start-up date of the Nelcon facility postmarked within 15 days after the actual start-up date (ARM 17.8.749)

SECTION III: General Conditions

- A. Inspection – Nelcon shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (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 Nelcon fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Nelcon of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided for in ARM 17.8.740, *et seq.* (ARM 17.8.756)
- D. Enforcement – Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement action 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 therefor, 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 the Department 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 Nelcon may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.
- H. Duration of Permit – Construction or installation must begin or contractual obligations entered into that would constitute substantial loss within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall expire (ARM 17.8.762).
- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Nelcon shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas that have a Department-approved permitting program or areas considered tribal lands.

Montana Air Quality Permit (MAQP) Analysis  
Nelcon, Inc.  
MAQP #5164-00

I. Introduction/Process Description

Nelcon, Inc. (Nelcon) owns and operates a portable non-metallic mineral processing plant which will initially be located in Section 36, Township 30N, Range 21W in Flathead County, Montana.

A. Permitted Equipment

Nelcon portable crushing and screening operations shall include:

- Two aggregate crushers with a combined capacity up to 900 tons per hour (tph)
- Two aggregate screen with a maximum 900 tph rating
- Two diesel-fired engines, package engines or generator set engines, with combined capacity rating not to exceed 1461 horse power (hp)
- Associated equipment, such as; feeders, conveyors (including integrated equipment conveyors), stackers, and other material handling equipment.

B. Source Description

The crushing/screening plant is used to crush and sort gravel/sand materials for use in various construction activities. For a typical operational setup, the raw materials will initially be sent through a primary crusher and then through a series of secondary crushers and/or screens for sorting or processing to the desired dimension and ultimately to a stockpile for use in construction operations.

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).

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

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than 4 hours.
5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

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

1. ARM 17.8.204 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<sub>10</sub>
11. ARM 17.8.230 Fluoride in Forage

Nelcon must maintain compliance with the applicable ambient air quality standards.

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

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

2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of less than 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter. (2) Under this rule, Nelcon shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section
4. ARM 17.8.310 Particulate Matter, Industrial 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 17.8.340 Standard of Performance for New Stationary Sources and Emission Guidelines for Existing Sources. This rule incorporates, by reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS). Nelcon is considered an NSPS affected facility under 40 CFR Part 60 and is subject to the requirements of the following subparts.
  - a. 40 CFR 60, Subpart A – General Provisions apply to all equipment or facilities subject to an NSPS Subpart as listed below:
  - b. 40 CFR 60, Subpart 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. Based on the information submitted by Nelcon, the portable crushing equipment to be used under MAQP #5164-00 is subject to this subpart because it meets the definition of an affected facility modified after August 31, 1983.
  - 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. A CI ICE is considered stationary if it remains or will remain at a location for more than 12 months, or a shorter period of time for an engine located at a seasonal source. As the permit is written in a de minimis-friendly manner, the CI ICE equipment to be used by Nelcon under MAQP #5164-00 is potentially subject to this Subpart depending upon the construction/manufacture date and the location, nature, and duration of operation. Since the CI ICE is intended to be portable, Nelcon may not be

required to comply with the applicable requirements of 40 CFR 60, Subpart III unless the CI ICE becomes a stationary source. This subpart could become applicable if a CI ICE remains in a location for more than 12 months.

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. Nelcon is potentially a NESHAP-affected facility under 40 CFR Part 63 and is potentially 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 Nelcon, the RICE equipment to be used under MAQP #5164-00 may potentially be subject to this subpart because the facility is an area source of HAP emissions. However, since the RICE is intended to be portable, Nelcon is not required to comply with the applicable emission limitations and operating limitations of 40 CFR 63, Subpart ZZZZ unless the RICE becomes a stationary source. This subpart would become applicable if a RICE remains in a location for more than 12 months.

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

1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. Nelcon submitted the appropriate permit application fee for the current permit action.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that pro-rate the required fee amount.

- E. ARM 17.8, Subchapter 7 – Permit, Construction, and Operation of Air Contaminant Sources, including, but not limited to:
1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
  2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain an air quality permit or permit modification to construct, modify, or use any asphalt plant, crusher or screen that has the potential to emit (PTE) greater than 15 tons per year of any pollutant. Nelcon has a PTE greater than 15 tons per year of has a PTE greater than 15 tons per year of particulate matter (PM), particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>), carbon monoxide (CO), volatile organic compounds (VOC), and oxides of nitrogen (NO<sub>x</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. Nelcon submitted the required permit application for the current permit action. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. Nelcon submitted an affidavit of publication of public notice for the July 1, 2016 issue of the *Daily Interlake*, a newspaper of general circulation in the Town of Kalispell in Flathead County, as proof of compliance with the public notice requirements.
  6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
  7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. The required BACT analysis is included in Section III of this permit analysis.
  8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.

9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Nelcon of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.759 Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those permit applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or modified source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.
14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an 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<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 #5164-00 for Nelcon, 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<sub>10</sub> nonattainment area.
  - d. This facility is subject to a current NSPS (40 CFR 60, Subparts A, OOO, and potentially Subpart IIII).
  - e. This facility is potentially subject to a current NESHAP (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 Nelcon 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, Nelcon will be required to obtain a Title V Operating Permit.

### III. BACT Determination

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

#### Process and Fugitive Particulate Emissions

Two types of emission controls are readily available and used for dust suppression of fugitive emissions at the site. These two control methods are water and/or chemical dust suppressant. Chemical dust suppressant could be used on the area surrounding the crushing/screening operation, and for emissions from the crushing/screening operation itself. 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. In addition, water suppression has been required of recently permitted similar sources. However, depending on individual site circumstances Nelcon may use chemical dust suppressants to assist in controlling particulate emissions. The Department determined that the use of water and/or chemical dust suppressant, as necessary, constitutes BACT.

Nelcon shall not cause or authorize to be discharged into the atmosphere from any NSPS-affected crusher any visible emissions that exhibit an opacity of 12% or greater averaged over 6 consecutive minutes for crushers that commenced construction, modification, or reconstruction on or after April 22, 2008. Additionally, Nelcon shall not cause or authorize to be discharged into the atmosphere from any other associated NSPS-affected equipment, such as screens and material conveyors, any visible emissions that exhibit an opacity of 7% or greater averaged over 6 consecutive minutes for equipment that commences construction, modification, or reconstruction after April 22, 2008, and 10% for equipment that commences construction, modification, or reconstruction after August 31, 1983, but before April 22, 2008. Finally, Nelcon shall not cause or authorize to be discharged into the atmosphere from any crusher, screen, or associated equipment, not subject to NSPS, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes. These opacity limits are federal and state emission standards rather than a BACT determination.

Nelcon is required to have water spray bars and water available on site (at all times) and to apply the water, as necessary, to maintain compliance with the opacity restrictions and reasonable precautions limitations. Nelcon may also use chemical dust suppressant to maintain compliance with emissions limitations in Section II.A of MAQP #5164-00.

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. The Department determined that using water spray bars, water, and/or chemical dust suppressant to maintain compliance with the opacity requirements and reasonable precaution limitations constitutes BACT.

## Diesel-Fired Engines

Generally, any new diesel engines would be required to comply with the 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).

Therefore, the Department has determined that compliance with applicable federal standards and proper operation and maintenance constitutes BACT for these engines. 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.

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	tons/year						
	PM	PM10	PM2.5	NOx	CO	VOC	SO2
1461 bhp CAT Diesel Engine Generator(s)	2.12	2.12	2.12	67.72	36.68	16.09	13.12
2010 Pioneer Jaw Crusher	4.73	2.13	0.39				
2009 Hp 300 Cone Crusher	4.73	2.13	0.39				
2010 6x16 Screen	8.67	2.92	0.20				
2009 6x20 Screen	14.19	8.67	0.20				
Haul Roads	5.68	1.57	0.16				
42" Belt Feeder	0.06	0.06	0.06				
Conveyor Transfer Points	1.66	0.54	0.15				
36"x160' Stacker	12.68	6.00	0.91				
Storage Piles	7.68	3.62	0.55				
<b>Total Emissions</b>	<b>62.21</b>	<b>29.75</b>	<b>5.13</b>	<b>67.72</b>	<b>36.68</b>	<b>16.09</b>	<b>13.12</b>
<b>Assuming</b>	<b>8,760 hr/yr operation</b>						

CO = carbon monoxide  
HAPs = hazardous air pollutants  
hp = horsepower  
lb = pound  
NO<sub>x</sub> = oxides of nitrogen  
PM = particulate matter  
PM<sub>10</sub> = particulate matter with an aerodynamic diameter of 10 microns or less

PM<sub>2.5</sub> = particulate matter with an aerodynamic diameter of 2.5 microns or less  
SO<sub>2</sub> = sulfur dioxide  
TPH = tons per hour  
TPY = tons per year  
VOC = volatile organic compounds  
yr = year

\*Inventory reflects maximum allowable emissions for all pollutants based on maximum production and year-round operation (8,760 hours). The facility did not take limits on production or hours of operation, however is required to operate engine(s) that are compliant with the Environmental Protection Agency's (EPA) non-road compression-ignition engine Tier 2 or higher emission standards pursuant to 40 CFR Part 89.112.

#### 1461 bhp CAT Diesel Engine Generator(s)

Note: Emissions are based on the power output of the engine (1461 hp) and an EPA Tier 2 emissions certification.

Operational Capacity of Engine(s) = 1,461 hp

generator = 1,090 kw

Hours of Operation = 8,760 hours/yr

1,461 hp      Manuf data  
1,090 kw  
8,760 hours/yr

**PM Emissions:**

	Emission Factor =	0.150 g/hp-hr	(40 CFR 89 Subpart B, Table 1)
Calculation: (4,232.29 lbs/yr) * (ton/2000 lb) =		<b>2.12</b> ton/yr	
Calculation: (1,461 hp) * (8,760 hours/yr) * (0.150 g/hp-hr)* 0.0022046 lb/g =		<b>4,232.29</b> lbs/yr	

**PM10 Emissions:**

	Emission Factor =	0.150 g/hp-hr	(40 CFR 89 Subpart B, Table 1)
Calculation: (4,232.29 lbs/yr) * (ton/2000 lb) =		<b>2.12</b> ton/yr	
Calculation: (1,461 hp) * (8,760 hours/yr) * (0.150 g/hp-hr)* 0.0022046 lb/g =		<b>4,232.29</b> lbs/yr	

**PM2.5 Emissions:**

	Emission Factor =	0.150 g/hp-hr	(40 CFR 89 Subpart B, Table 1)
Calculation: (4,232.29 lbs/yr) * (ton/2000 lb) =		<b>2.12</b> ton/yr	
Calculation: (1,461 hp) * (8,760 hours/yr) * (0.150 g/hp-hr)* 0.0022046 lb/g =		<b>4,232.29</b> lbs/yr	

**NOx Emissions:**

	Emission Factor =	4.80 g/hp-hr	(40 CFR 89 Subpart B, Table 1)
Calculation: (135,433.27 lbs/yr) * (ton/2000 lb) =		<b>67.72</b> ton/yr	
Calculation: (1,461 hp) * (8,760 hours/yr) * (4.80 g/hp-hr)* 0.0022046 lb/g =		<b>135,433.27</b> lbs/yr	

**CO Emissions:**

	Emission Factor =	2.60 g/hp-hr	(40 CFR 89 Subpart B, Table 1)
Calculation: (73,359.69 lbs/yr) * (ton/2000 lb) =		<b>36.68</b> ton/yr	
Calculation: (1,461 hp) * (8,760 hours/yr) * (2.60 g/hp-hr)* 0.0022046 lb/g =		<b>73,359.69</b> lbs/yr	

**VOC Emissions:**

	Emission Factor =	2.51E-03 lbs/hp-hr	(exhaust + crankcase)
Calculation: (32,176.36 lbs/yr) * (ton/2000 lb) =		<b>16.09</b> ton/yr	
Calculation: (1,461 hp) * (8,760 hours/yr) * (0.00251 lbs/hp-hr) =		<b>32,176.36</b> lbs/yr	

**SO2 Emissions:**

	Emission Factor =	2.05E-03 lbs/hp-hr	(AP-42, Sec. 3.3, Table 3.3-1, 10/96)
Calculation: (26,236.64 lbs/yr) * (ton/2000 lb) =		<b>13.12</b> ton/yr	
Calculation: (1,461 hp) * (8,760 hours/yr) * (0.00205 lbs/hp-hr) =		<b>26,236.64</b> lbs/yr	

**2010 Pioneer Jaw Crusher**

Process Rate 900 ton/hr

**PM Emissions:**

Emission Factor	0.0012 lb/ton	(AP 42, Table 11.19.2-2, 8/04, controlled)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.0012 lb/ton) * (ton/2000 lb) =	<b>4.73</b> ton/yr	

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

Emission Factor	0.00054	lb/ton	(AP 42, Table 11.19.2-2, 8/04, controlled)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.00054 lb/ton) * (ton/2000 lb) =	<b>2.13</b>	ton/yr	
Daily Calculation: (900 ton/hr) * (0.00054 lb/ton) * (24 hr/day) =	<b>11.66</b>	lb/day	

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

Emission Factor	0.0001	lb/ton	(AP 42, Table 11.19.2-2, 8/04, controlled)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.0001 lb/ton) * (ton/2000 lb) =	<b>0.39</b>	ton/yr	

**2009 Hp 300 Cone Crusher**

Process Rate	900	ton/hr	
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**PM Emissions:**

Emission Factor	0.0012	lb/ton	(AP 42, Table 11.19.2-2, 8/04, controlled)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.0012 lb/ton) * (ton/2000 lb) =	<b>4.73</b>	ton/yr	

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

Emission Factor	0.00054	lb/ton	(AP 42, Table 11.19.2-2, 8/04, controlled)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.00054 lb/ton) * (ton/2000 lb) =	<b>2.13</b>	ton/yr	

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

Emission Factor	0.0001	lb/ton	(AP 42, Table 11.19.2-2, 8/04, controlled)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.0001 lb/ton) * (ton/2000 lb) =	<b>0.39</b>	ton/yr	

**2010 6x16 Screen**

Hours of Operation	8,760	hrs/yr	
Process Rate	900	ton/hr	

**Total PM Emissions:**

Emission Factor	0.0022	lb/ton	(AP 42, Table 11.19.2-2, 8/04)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.0022 lb/ton) * (ton/2000 lb) =	<b>8.67</b>	ton/yr	

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

Emission Factor	0.00074	lb/ton	(AP 42, Table 11.19.2-2, 8/04)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.00074 lb/ton) * (ton/2000 lb) =	<b>2.92</b>	ton/yr	

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

Emission Factor	0.00005	lb/ton	(AP 42, Table 11.19.2-2, 8/04)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.00005 lb/ton) * (ton/2000 lb) =	<b>0.20</b>	ton/yr	

**2009 6x20 Screen (Fines)**

Hours of Operation	8,760	hrs/yr	
Process Rate	900	ton/hr	

**Total PM Emissions:**

Emission Factor	0.0036	lb/ton	(AP 42, Table 11.19.2-2, 8/04)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.0036 lb/ton) * (ton/2000 lb) =	<b>14.19</b>	ton/yr	

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

Emission Factor	0.0022	lb/ton	(AP 42, Table 11.19.2-2, 8/04)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.0022 lb/ton) * (ton/2000 lb) =	<b>8.67</b>	ton/yr	

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

Emission Factor	0.00005	lb/ton	(AP 42, Table 11.19.2-2, 8/04)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.00005 lb/ton) * (ton/2000 lb) =	<b>0.20</b>	ton/yr	

**Haul Roads**

Vehicle Miles Traveled	5	VMT/day	(Estimated)
VMT per Hour	0.21	VMT/hr	
Hours of Operation	8,760	hrs/yr	
	365	days/yr	

**PM Emissions:**

Emission Factor = $k * (s / 12)^a * (W / 3)^b = 12.46$ lb/VMT	12.46	lb/VMT	(AP 42, Ch. 13.2.2, 11/06)
Where: k = constant	4.9	lbs/VMT	(Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)
s = surface silt content	7.1	%	(Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)
W = mean vehicle weight	54	tons	(1994 average loaded/unloaded or a 40 ton truck)
a = constant	0.7		(Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)
b = constant	0.45		(Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)
Control Efficiency	50	%	(Water spray or chemical dust suppressant)
Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (12.46 lb/VMT) * (ton/2000 lb) =	11.37	tons/yr	
Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (12.46 lb/VMT) * (ton/2000 lb) * (1-50/100) =	<b>5.68</b>	tons/yr	
Daily Calculation: (5.00 VMT/day) * (12.46 lb/VMT) =	<b>62.30</b>	lbs/day	

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

Emission Factor = $k * (s / 12)^a * (W / 3)^b = 3.43$ lb/VMT	3.43	lb/VMT	(Value for PM10, AP 42, Table 13.2.2-2, 11/06)
Where: k = constant	1.5	lbs/VMT	(Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)
s = surface silt content	7.1	%	(1994 average loaded/unloaded or a 40 ton truck)
W = mean vehicle weight	54	tons	(Value for PM10, AP 42, Table 13.2.2-2, 11/06)
a = constant	0.9		(Value for PM10, AP 42, Table 13.2.2-2, 11/06)
b = constant	0.45		(Value for PM10, AP 42, Table 13.2.2-2, 11/06)
Control Efficiency	50	%	(Water spray or chemical dust suppressant)
Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (3.43 lb/VMT) * (ton/2000 lb) =	3.13	tons/yr	
Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (3.43 lb/VMT) * (ton/2000 lb) * (1-50/100) =	<b>1.57</b>	tons/yr	
Daily Calculation: (5.00 VMT/day) * (3.43 lb/VMT) =	<b>17.17</b>	lbs/day	

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

Emission Factor = $k * (s / 12)^a * (W / 3)^b = 0.34 \text{ lb/VMT}$	0.34	lb/VMT	
Where: k = constant	0.15	lbs/VMT	(Value for PM10, AP 42, Table 13.2.2-2, 11/06)
s = surface silt content	7.1	%	(Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)
W = mean vehicle weight	54	tons	(1994 average loaded/unloaded or a 40 ton truck)
a = constant	0.9		(Value for PM10, AP 42, Table 13.2.2-2, 11/06)
b = constant	0.45		(Value for PM10, AP 42, Table 13.2.2-2, 11/06)
Control Efficiency	50	%	(Water spray or chemical dust suppressant)
Calculation: $(8760 \text{ hrs/yr}) * (0.21 \text{ VMT/hr}) * (0.34 \text{ lb/VMT}) * (\text{ton}/2000 \text{ lb}) =$	0.31	tons/yr	
Calculation: $(8760 \text{ hrs/yr}) * (0.21 \text{ VMT/hr}) * (0.34 \text{ lb/VMT}) * (\text{ton}/2000 \text{ lb}) * (1-50/100) =$	<b>0.16</b>	tons/yr	
Daily Calculation: $(5.00 \text{ VMT/day}) * (0.34 \text{ lb/VMT}) =$	<b>1.72</b>	lbs/day	

**Conveyor Transfer Points**

Process Rate	900	ton/hr
Hours of Operation	8,760	hrs/yr
Number of Transfers	3	transfers

**Total PM Emissions:**

Emission Factor	0.00014	lb/ton	(AP 42, Table 11.19.2-2, 8/04)
Calculation: $(900 \text{ ton/hr}) * (8760 \text{ hrs/yr}) * (0.00014 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (3 \text{ transfer}) =$	<b>1.66</b>	ton/yr	

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

Emission Factor	4.60E-05	lb/ton	(AP 42, Table 11.19.2-2, 8/04)
Calculation: $(900 \text{ ton/hr}) * (8760 \text{ hrs/yr}) * (0.000046 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (3 \text{ transfer}) =$	<b>0.54</b>	ton/yr	

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

Emission Factor	1.30E-05	lb/ton	(AP 42, Table 11.19.2-2, 8/04)
Calculation: $(900 \text{ ton/hr}) * (8760 \text{ hrs/yr}) * (0.000013 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (3 \text{ transfer}) =$	<b>0.15</b>	ton/yr	

**36'x160' Stacker**

Process Rate	900	ton/hr
Hours of Operation	8,760	hrs/yr
Number of stackers	1	stacker

**PM Emissions:**

Emission Factor = $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} =$	0.00322	lb/ton	(AP 42, Sec. 13.2.4.3, 11/06)
Where: k = particle size multiplier	0.74		(Value for PM < 30)

microns per AP 42,  
Sec. 13.2.4.3, 11/06)  
(Average from values  
provided in AP 42,  
Sec. 13.2.4.3, 11/06)  
(Average from values  
provided in AP 42,  
Sec. 13.2.4.3, 11/06)

U = mean wind speed 8.15 mph

M = material moisture content 2.53 %

Calculation:  $(900 \text{ ton/hr}) * (8760 \text{ hrs/yr}) * (0.00322 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ stacker}) =$  12.68 ton/yr

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

Emission Factor =  $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} =$  0.00152 lb/ton

Where: k = particle size multiplier 0.35

U = mean wind speed 8.15 mph

M = material moisture content 2.53 %

Calculation:  $(900 \text{ ton/hr}) * (8760 \text{ hrs/yr}) * (0.00152 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ stacker}) =$  6.00 ton/yr

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

Emission Factor =  $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} =$  0.00023 lb/ton

Where: k = particle size multiplier 0.053

U = mean wind speed 8.15 mph

M = material moisture content 2.53 %

Calculation:  $(900 \text{ ton/hr}) * (8760 \text{ hrs/yr}) * (0.00023 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (1 \text{ stacker}) =$  0.91 ton/yr

**42" Belt Feeder**

Process Rate 900 ton/hr

Hours of Operation 8,760 hrs/yr

**PM Emissions:**

Emission Factor (assume PM=PM<sub>10</sub>) 1.60E-05 lb/ton

Control Efficiency 0 %

Calculation:  $(900 \text{ ton/hr}) * (8760 \text{ hrs/yr}) * (0.000016 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) =$  0.06 ton/yr

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

Emission Factor (assume PM=PM<sub>10</sub>) 1.60E-05 lb/ton

Control Efficiency 0 %

Calculation:  $(900 \text{ ton/hr}) * (8760 \text{ hrs/yr}) * (0.000016 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) =$  0.06 ton/yr

(AP 42, Sec. 11.19.2-2, 8/2004)  
(Water or chemical spray)

(AP 42, Sec. 11.19.2-2, 8/2004)  
(Water or chemical spray)

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

Emission Factor (assume PM=PM <sub>10</sub> )	1.60E-05	lb/ton	(AP 42, Sec. 11.19.2-2, 8/2004)
Control Efficiency	0	%	(Water or chemical spray)
Calculation: (900 ton/hr) * (8760 hrs/yr) * (0.000016 lb/ton) * (ton/2000 lb) =	0.06	ton/yr	

**Storage Piles**

Maximum Process Rate = 225 ton/hr (Maximum plant process rate)	225	ton/hr	(Maximum plant process rate)
Maximum Hours of Operation = 8,760 hrs/yr	8,760	hrs/yr	Note: For piles calcs, either divide total tph by # of piles, or exclude #piles from calcs and use total tph.
Number of Piles =	4	piles	

**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)<sup>1.3</sup> \* (M / 2)<sup>-1.4</sup> = 0.00390 lb/ton

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

0.74

U = mean wind speed = 9.33 mph (Average from values provided in FAA ASOS/AWOS reporting data)

9.33 mph

M = material moisture content = 2.5% (Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)

2.5 %

Control Efficiency = 50% (Water or chemical spray)

50 %

Calculation: (225 ton/hr) \* (8760 hrs/yr) \* (0.00390 lb/ton) \* (ton/2000 lb) \* (4 piles) =

15.37 ton/yr

Calculation: (225 ton/hr) \* (8760 hrs/yr) \* (0.00390 lb/ton) \* (ton/2000 lb) \* (4 piles) \* (1 - 50/100) =

7.68 ton/yr

(Value for PM < 30 microns per AP 42, Sec. 13.2.4.3, 11/06)  
(Average from values provided in FAA ASOS/AWOS reporting data)  
(Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)  
(Water or chemical spray)

**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)<sup>1.3</sup> \* (M / 2)<sup>-1.4</sup> = 0.00028 lb/ton

Where: k = particle size multiplier = 0.053 (Value for PM < 10 microns per AP 42, Sec. 13.2.4.3, 11/06)

0.053

U = mean wind speed = 9.3 mph (Average from values provided in FAA ASOS/AWOS reporting data)

9.3 mph

M = material moisture content = 2.5% (Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)

2.5 %

Control Efficiency = 50% (Water or chemical spray)

50 %

Calculation: (225 ton/hr) \* (8760 hrs/yr) \* (0.00028 lb/ton) \* (ton/2000 lb) \* (4 piles) =

1.10 ton/yr

Calculation: (225 ton/hr) \* (8760 hrs/yr) \* (0.00028 lb/ton) \* (ton/2000 lb) \* (4 piles) \* (1 - 50/100) =

0.55 ton/yr

(Value for PM < 10 microns per AP 42, Sec. 13.2.4.3, 11/06)  
(Average from values provided in FAA ASOS/AWOS reporting data)  
(Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)  
(Water or chemical spray)

**PM10 Emissions:**

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

Emission Factor =  $k (0.0032) * (U/5)^{1.3} * (M / 2)^{-1.4} =$  0.00184 lb/ton

Where: k = particle size multiplier = 0.35 (Value for PM < 10 microns per AP 42, Sec. 13.2.4.3, 11/06)

0.35

(Value for PM < 10 microns per AP 42, Sec. 13.2.4.3, 11/06) (Average from values provided in FAA ASOS/AWOS reporting data)

U = mean wind speed = 9.3 mph (Average from values provided in FAA ASOS/AWOS reporting data)

9.3 mph

(Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)

M = material moisture content = 2.5% (Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)

2.5 %

(Water or chemical spray)

Control Efficiency = 50% (Water or chemical spray)

50 %

Calculation:  $(225 \text{ ton/hr}) * (8760 \text{ hrs/yr}) * (0.00184 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (4 \text{ piles}) =$

7.24 ton/yr

Calculation:  $(225 \text{ ton/hr}) * (8760 \text{ hrs/yr}) * (0.00184 \text{ lb/ton}) * (\text{ton}/2000 \text{ lb}) * (4 \text{ piles}) * (1 - 50/100) =$

3.62 ton/yr

V. Existing Air Quality

MAQP #5164-00 and Addendum 1 are for a facility that will locate at sites throughout Montana, including in or within 10 kilometers (km) of certain PM<sub>10</sub> nonattainment areas. The more stringent operating conditions contained in the addendum will minimize any potential impact on the nonattainment areas and will protect the national ambient air quality standards. Also, this facility is a portable source that would be expected to operate on an intermittent and temporary basis and any effects on air quality would be expected to be minor and short-lived.

VI. Air Quality Impacts

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 operate on an intermittent and temporary basis, so any effects to air quality will be minor and of limited duration.

VII. Ambient Air Impact Analysis

Based on the information provided and the conditions established in MAQP #5164-00, 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	
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)].
	X	5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
	X	5b. Is the government requirement roughly proportional to the impact of the proposed use of the property?
	X	6. Does the action have a severe impact on the value of the property? (consider economic impact, investment-backed expectations, character of government action)
	X	7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally?
	X	7a. Is the impact of government action direct, peculiar, and significant?
	X	7b. Has government action resulted in the property becoming practically inaccessible, waterlogged or flooded?
	X	7c. Has government action lowered property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?
	X	Takings or damaging implications? (Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b; the shaded areas)

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

IX. Environmental Assessment

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

Analysis Prepared By: R. Payne

Date: 7/22/2016

**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**Air, Energy & Mining Division**  
**Air Quality Bureau**  
**P.O. Box 200901, Helena, MT 59620**  
**(406) 444-3490**

**DRAFT ENVIRONMENTAL ASSESSMENT (EA)**

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

*Montana Air Quality Permit Number (MAQP):* 5164-00

*Preliminary Determination Issued:* 08/17/2016

*Department Decision Issued:*

*Permit Final:*

1. *Legal Description of Site:* Nelcon, Inc. (Nelcon) proposes to operate a portable crushing and screening facility, which will have a home pit located at Section 36, Township 30N, Range 21W in Flathead County, Montana. However, MAQP 5164-00 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. Addendum 1 to MAQP #5161-00 would apply while the facility is located in or within 10 km of certain PM<sub>10</sub> nonattainment areas, including the home pit location within the Kalispell PM<sub>10</sub> nonattainment area.
2. *Description of Project:* Nelcon would operate a portable crushing and screening facility and would utilize crushers and screens for processing aggregate material to be used in construction operations. The surrounding area is mostly agricultural.
3. *Objectives of Project:* The objective of this project would be to produce revenue for Nelcon through the sale of processed aggregate for various construction projects. The issuance of the permit would allow Nelcon to operate the permitted portable equipment near construction project areas where the processed material can be easily used.
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. The “no-action” alternative would mean the portable crushing and screening operation would not operate, resulting in loss of revenue for Nelcon and loss of aggregate material to be used in construction projects. Other alternatives considered were discussed in the BACT analysis, Section III, in the permit.
5. *A Listing of Mitigation, Stipulations, and Other Controls:* A list of enforceable conditions, including a BACT analysis in Section III, would be included in MAQP #5164-00.

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

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 permitting action would be expected to have minor effects on terrestrial and aquatic life and habitats, as the proposed location is within an agricultural area. Furthermore, the air emissions would likely have only minor effects on terrestrial and aquatic life because facility emissions would be well dispersed in the area of the operation (as described in Section 7.F of this EA) and would have intermittent and seasonal operations. 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 mineral processing equipment and surrounding facility area, including haul roads. This water use would be expected to only cause minor, if any, impacts to water resources because the facility is small and only a small volume of water would be required to be used. In addition, the facility would emit air pollutants, and corresponding deposition of pollutants would occur, as described in Section 7.F. of this EA. However, the Department determined that, due to dispersion characteristics of pollutants and conditions that would be placed in MAQP #5164-00, any impacts from deposition of pollution on water quality, quantity, and distribution expected would be minor.

C. Geology and Soil Quality, Stability and Moisture

Only minor impacts from deposition of air pollutants on soils would likely result (as described in 7.F of this EA) and only minor amounts of water would be used for pollution control, and only as necessary, in controlling particulate emissions. Thus, only minimal water runoff would likely occur. Since only minor amounts of pollution would be expected and corresponding emissions would be widely dispersed before settling upon surrounding soils and vegetation (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 operations would likely be minor and short-lived.

D. Vegetation Cover, Quantity, and Quality

Only minor impacts would be expected to occur with respect to vegetative cover, quality, and quantity because the facility would operate in an area where vegetation has been previously disturbed. During operations, the facility would likely be a relatively minor

source of emissions and the pollutants widely dispersed (as described in Section 7.F of this EA); therefore, deposition on vegetation from the proposed project would expect to be minor. Also, due to limited water usage (as described in Section 7.B of this EA) and minimal associated soil disturbance from the application of water and water runoff (as described in Section 7.C of this EA), corresponding vegetative impacts would likely be

E. Aesthetics

The crushing/screening facility would be located in a total property area of 80 acres. Activity within the facility would create noise while operating at the proposed site. The application states the nearest home and/or structure is 500 feet from the initial proposed project site; therefore visual and noise impacts would be minor and short-lived.

F. Air Quality

Air quality impacts from the proposed project would likely be minor because the facility would be relatively small and operate on an intermittent and temporary basis. MAQP #5164-00 includes conditions limiting the facility's opacity; require water and water spray bars be available on site and used to ensure compliance with opacity standards; and limit the facility's crushing production.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department contacted the Montana Natural Heritage Program (MNHP) in an effort to identify and species of concern that may be found in the area where the initial proposed crushing/screening facility will occur. Search results have concluded there are ten animal species of concern in the area. Area, in this case, would be defined by the township and range of the proposed site, with an additional 1-mile buffer. The known species of concern are the Hoary Bat, Little Brown Myotis, Great Blue Heron, Brown Creeper, Evening Grosbeak, Bobolink, Pileated Woodpecker, Westslope Cutthroat Trout, Pygmy Whitefish and Bull Trout. Specific effects of operating the proposed project in this area would be minor since the project is small, temporary, and operates on an intermittent basis. Therefore, the Department determined that any effects upon these species would likely be minor and short-lived.

H. Sage Grouse Executive Order

The Department recognizes the site location is not within the Greater Sage Grouse Habitat Area as defined by Executive Order No. 12-20158.

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

Due to the relatively small size of the project, only small demands on environmental resources would likely be required for proper operation. Only small quantities of water are required for dust suppression of particulate emissions being generated at the site. In addition, impacts to air resources would be expected to be minor because the source would be considered a minor industrial source of emissions, with intermittent and seasonal operations, and because air pollutants generated by the facility would be widely dispersed as described in Section 7.F of this EA. Energy requirements would also be small, as the diesel engines would use small amounts of fuel. Overall, any impacts to water, air, and energy resources would likely be minor.

J. Historical and Archaeological Sites

The Department contacted the Montana Historical Society – State Historical Preservation Office (SHPO) in an effort to identify any historical and/or archaeological sites that may be present in the initial location of the facility. According to correspondence from the Montana State Historic Preservation Office, there have been no previously recorded sites within the designated search locale. The absence of cultural properties in the area does not mean that they do not exist but rather may reflect the absence of any previous cultural resource inventory in the area, as the SHPO records indicated none. However, if cultural materials are discovered during this project the Montana Historical Society should be contacted.

K. Cumulative and Secondary Impacts

The operation of the crushing and screening equipment would likely cause minor cumulative and secondary impacts to the physical and biological aspects of the human environment because the facility would be limited in the amount of emissions allowed to be released to the atmosphere. Emissions and noise generated from the equipment would likely result in only minor impacts to the area, as the facility would be seasonal and temporary. The proposed project would be short-term in nature, and likely have minor cumulative effects upon resources within the area. These resources include water, terrestrial and aquatic life, soils, and vegetation. Overall, cumulative and secondary impacts to the physical and biological aspects of the human environment would likely be minor.

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

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

A. Social Structures and Mores

The operation of the non-metallic mineral processing facility would not be expected to cause any disruption to the social structures and mores in the area because the source would be a minor industrial source that would only have temporary and intermittent operations. The Department has determined that no impact to the social structure and mores would be expected.

B. Cultural Uniqueness and Diversity

The cultural uniqueness and diversity of this area would not likely be impacted by the operation of the proposed facility because the source would occur within an existing gravel pit and would be intermittent and temporary operation. Therefore, there would not be any impacts expected to the cultural uniqueness and diversity.

C. Local and State Tax Base and Tax Revenue

The operation of the facility would likely have little, if any, impact on the local and state tax base and tax revenue because the facility would be a minor industrial source of emissions and would have seasonal and intermittent operations. Thus, only minor impacts to the local and state tax base and revenue would be expected from the employees and facility

production. Furthermore, the impacts to local tax base and revenue would expect to be minor because the source would be portable and the money generated for taxes would be widespread.

#### D. Agricultural or Industrial Production

The operation mineral processing facility would have only a minor impact on local agricultural or industrial production since the facility would be a minor source. Because minimal deposition of air pollutants would occur on the surrounding land (as described in Section 7.F of this EA), only minor and temporary effects on the surrounding vegetation (i.e. 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 of this EA.

#### E. Human Health

MAQP #5164-00 would incorporate conditions to ensure that the facility 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 facility would be minimized by the use of water spray and other operational limits that would be required by MAQP #5164-00. Also, the facility would be operating on a temporary basis and pollutants would disperse from the ventilation of emissions at this site (see Section 7.F of this EA). Therefore, only minor impacts would be expected on human health from the proposed project.

#### F. Access to and Quality of Recreational and Wilderness Activities

Based on information received from Nelcon there is no hunting access, recreational activities or wilderness areas near the initial proposed project site. Therefore, no impacts to the access to and quality of recreational and wilderness activities would be expected.

#### G. Quantity and Distribution of Employment

The portable crushing/screening operation would only require a few employees to operate and would have seasonal and intermittent operations. The crushing/screening operation would be considered a portable source and would not be expected to have long-term effects upon the quantity and distribution of employment in any given area of operation. The application stated no new employees would be employed as a result of the proposed project. Therefore, no effects upon the quantity and distribution of employment in this area would be expected.

#### H. Distribution of Population

The portable crushing and screening operation is a portable industrial facility that would only require a limited number of employees. No individuals would be expected to permanently relocate to this area as a result of this expansion. Therefore, the mineral processing facility would not likely impact the normal population distribution in the initial area of operation or any further operating site.

#### I. Demands for Government Services

A slight increase in traffic on existing roadways in the area while is expected from this project. 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, demands for government services would be expected to be minor.

J. Industrial and Commercial Activity

The operation of the new equipment would represent only a minor increase in the industrial activity in the proposed area of operation because the source would be a relatively small industrial source that would be portable and temporary in nature. Furthermore, the industrial activity associated with this plant will occur within an existing gravel pit. Therefore, only limited additional industrial or commercial activity would be expected as a result of the proposed operation.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans and goals this project may impact. The State standards would be protective of the proposed project area.

L. Cumulative and Secondary Impacts

Overall, cumulative and secondary impacts from this project would expect result in minor impacts to the economic and social environment in the immediate area due to the relatively small size of the operation. The Department believes that this facility could be expected to operate in compliance with all applicable rules and regulations as would be outlined in MAQP #5164-00.

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 non-metallic mineral processing facility. MAQP #5164-00 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 Quality Bureau, Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Natural Heritage Program,

EA prepared by: R. Payne  
Date: 7/25/16

Addendum 1  
Nelcon, Inc.  
Montana Air Quality Permit (MAQP) #5164-00

An addendum to MAQP #5164-00 is hereby granted to Nelcon, Inc. (Nelcon) pursuant to Section 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.765, as amended, for the following:

I. Permitted Equipment:

Nelcon owns and operates a portable non-metallic mineral processing facility consisting of aggregate crusher(s) (maximum capacity 900 tons per hour (tph)); aggregate screen(s) (900 tph); diesel-fired engine generator set(s) with a combined capacity rating not to exceed 1461 horsepower (hp); and associated material handling and processing equipment. The facility will initially be located in Section 36, Township 30N, Range 21W in Flathead County, Montana.

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

Addendum 1 applies to the Nelcon facility while operating at any location in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) nonattainment areas. Additionally, seasonal and site restrictions apply to the facility as follows:

- A. During the winter season (October 1-March 31) – The only location in or within 10 km of a PM<sub>10</sub> nonattainment area where Nelcon may operate is:
  1. White Rock Pit in Section 36, Township 30N, Range 21W in Flathead County; and
  2. Any other site that may be approved, in writing, by the Department of Environmental Quality (Department).
- B. During the summer season (April 1-September 30) – Nelcon may operate at any location in or within 10 km of the Butte, Columbia Falls, Kalispell, Libby, Thompson Falls, and Whitefish PM<sub>10</sub> nonattainment areas.
- C. Nelcon shall comply with the limitations and conditions contained in Addendum 1 to MAQP #5164-00 while operating in or within 10 km of any of the previously identified PM<sub>10</sub> nonattainment areas. Addendum 1 shall be valid until revoked or modified. The Department reserves the authority to modify Addendum 1 at any time based on local conditions of any future site. These conditions may include, but are not limited to, local terrain, meteorological conditions, proximity to residences or other businesses, etc.

### III. Limitations and Conditions

#### A. Operational Limitations and Conditions – Summer Season Conditions

1. Water spray bars must be available and operated, as necessary, on the crushers, screens, and all transfer points whenever the crushing/screening plant is in operation (ARM 17.8.749).
2. Nelcon shall not cause or authorize to be discharged into the atmosphere from any equipment, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749). For NSPS-affected equipment constructed after April 22, 2008 for which an opacity limitation of 7% applies (such as screens and conveyors), that 7% limit shall apply to the affected equipment (ARM 17.8.340 and 40 CFR 60, Subpart OOO).
3. Nelcon shall not cause or authorize to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant property any visible fugitive emissions that exhibit an opacity of 10% or greater (ARM 17.8.749).
4. Nelcon shall treat all unpaved portions of the access roads, parking lots, and general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the 10% opacity limitation (ARM 17.8.749).
5. The total combined maximum crushing production capacity shall not exceed 21,600 tons per day (ARM 17.8.749).
6. The total combined maximum screening production capacity shall not exceed 21,600 tons per day (ARM 17.8.749).

#### B. Operation Limitations and Conditions – Winter Season Conditions

1. Water spray bars must be available and operated, as necessary, on the crushers, screens, and all transfer points whenever the crushing/screening plant is in operation (ARM 17.8.749).
2. Nelcon shall not cause or authorize to be discharged into the atmosphere from any equipment, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749). For NSPS-affected equipment constructed after April 22, 2008 for which an opacity limitation of 7% applies (such as screens and conveyors), that 7% limit shall apply to the affected equipment (ARM 17.8.340 and 40 CFR 60, Subpart OOO).
3. Nelcon shall not cause or authorize to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant property any visible fugitive emissions that exhibit an opacity of 10% or greater (ARM 17.8.749).
4. Nelcon shall treat all unpaved portions of the access roads, parking lots, and general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the 10% opacity limitation (ARM 17.8.749).

5. The total crusher production shall not exceed 4,500 tons per day (ARM 17.8.749).
6. The total screen production shall not exceed 4,500 tons per day (ARM 17.8.749).
7. Operation of the diesel engine(s) driving the generator(s) shall not exceed 5 hours per day (ARM 17.8.749).

### C. Operational Reporting Requirements

1. If this crushing/screening plant is moved to another nonattainment location, an Intent to Transfer form must be sent to the Department and a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.749 and ARM 17.8.765).
2. Production information for the sites covered by this addendum must be maintained for five years and submitted to the Department upon request. The information must include (ARM 17.8.749):
  - a. Daily tons of material crushed by each crusher at each site (including amount of recirculated/rerun material). Nelcon shall document, by day, the total crushing production. Nelcon shall sum the total crushing production for the previous day to demonstrate compliance with the limitations in Sections III.A.5 and III.B.5.
  - b. Daily tons of material screened by each screen at each site (including amount of recirculated/rerun material). Nelcon shall document, by day, the total screening production. Nelcon shall sum the total screening production for the previous day to demonstrate compliance with the limitations in Sections III.A.6 and III.B.6.
  - c. Daily tons of bulk material loaded at each site (production).
  - d. Daily hours of operation at each site.
  - e. Daily hours of operation and the hp for each engine at each site.
  - f. Fugitive dust information consisting of the daily total miles driven on unpaved roads within the operating site for all plant vehicles.

Addendum 1 Analysis  
Nelcon, Inc.  
Montana Air Quality Permit (MAQP) #5164-00

I. Permitted Equipment

Nelcon owns and operates a portable non-metallic mineral processing facility consisting of aggregate crusher(s) (maximum capacity 900 tons per hour (tph)); aggregate screen(s) (900 tph); diesel-fired engine generator set(s) with a combined capacity rating not to exceed 1461 horsepower (hp); and associated material handling and processing equipment.

II. Source Description

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

III. Applicable Rules and Regulations

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

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

- A. ARM 17.8.749 Conditions for Issuance of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
- B. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.
- C. ARM 17.8.765 Transfer of Permit. An air quality permit may be transferred from one location to another if:
  - 1. Written notice of intent to transfer location and proof of public notice are sent to the Department;

2. The source will operate in the new location for a period of less than 1 year; and
3. The source will not have any significant impact on any nonattainment area or any Class I area.

#### IV. Emission Inventory

##### Summer:

Maximum Process Rate: 900 tons/hr  
 Maximum Hours of Operation: 24 hrs/day (Permit Limit Summertime [unrestricted])  
 Output: 21,600 tons /day

CONTROLLED Emission Source	pounds/day								Total HAPs
	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	VOC	SO <sub>2</sub>	CO <sub>2e</sub>	
Cold Aggregate Storage Piles	35.70	16.88	2.56	--	--	--	--	--	--
Cold Aggregate Handling/Conveyors	9.07	2.98	0.84	--	--	--	--	--	--
Cold Aggregate Screens	47.52	15.98	1.08	--	--	--	--	--	--
Crushers	116.64	51.84	2.16	--	--	--	--	--	--
Haul Roads / Vehicle Traffic	31.15	8.59	0.86	--	--	--	--	--	--
1461 hp Diesel Engine	11.57	11.57	11.57	231.84	0.52	88.15	71.88	40324	--
<b>Total Emissions</b>	<b>251.65</b>	<b>107.84</b>	<b>19.07</b>	<b>231.84</b>	<b>0.52</b>	<b>88.15</b>	<b>71.88</b>	<b>40323.60</b>	<b>0.00</b>

##### Winter:

Maximum Process Rate: 900 tons/hr  
 Maximum Hours of Operation: 5 hrs/day (Permit Limit Wintertime)  
 Output: 4,500 tons /day

CONTROLLED Emission Source	pounds/day								Total HAPs
	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	VOC	SO <sub>2</sub>	CO <sub>2e</sub>	
Cold Aggregate Storage Piles	7.44	3.52	0.53	--	--	--	--	--	--
Cold Aggregate Handling/Conveyors	1.89	0.62	0.18	--	--	--	--	--	--
Cold Aggregate Screens	9.90	3.33	0.23	--	--	--	--	--	--
Crushers	24.30	10.80	0.45	--	--	--	--	--	--
Haul Roads / Vehicle Traffic	6.49	1.79	0.18	--	--	--	--	--	--
1461 hp Diesel Engine	6.75	6.75	6.75	135.24	0.30	51.42	41.93	23522	--
<b>Total Emissions</b>	<b>56.77</b>	<b>26.81</b>	<b>8.31</b>	<b>135.24</b>	<b>0.30</b>	<b>51.42</b>	<b>41.93</b>	<b>23522.10</b>	<b>0.00</b>

##### Footnotes:

a. Inventory reflects enforceable limits on production to keep emissions below 82 lbs/day and screen modeling to show an ambient impact not exceeding 5 µm/m<sup>3</sup>

#### Cold Aggregate Storage Piles

Maximum Process Rate = 225 ton/hr (Maximum plant process rate) 225 ton/hr  
 Maximum Hours of Operation = 24 hrs/day (summer hours) 24 hrs/day  
 Maximum Hours of Operation = 5 hrs/day (winter hours) 5 hrs/day  
 Number of Piles = 4 piles 4 piles

### Filterable PM Emissions:

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

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

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

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

$M = \text{material moisture content} = 3\%$  (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06) 3.0 %

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

Calculation:  $(225 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00331 \text{ lb/ton}) * (4 \text{ piles}) = 71.39 \text{ lb/day}$  (Summer hours) **71.39** lb/day

Calculation:  $(225 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00331 \text{ lb/ton}) * (4 \text{ piles}) * (1 - 50/100) = 35.70 \text{ lb/day}$  (Summer hours) **35.70** lb/day

Calculation:  $(225 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.00331 \text{ lb/ton}) * (4 \text{ piles}) = 14.87 \text{ lb/day}$  (Winter hours) **14.87** lb/day

Calculation:  $(225 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.00331 \text{ lb/ton}) * (4 \text{ piles}) * (1 - 50/100) = 7.44 \text{ lb/day}$  (Winter hours) **7.44** lb/day

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

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

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

Where:  $k = \text{particle size multiplier} = 0.35$  (Value for PM < 10 microns per AP 42, Sec. 13.2.4.3, 11/06) 0.35

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

$M = \text{material moisture content} = 3\%$  (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06) 3.0 %

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

Calculation:  $(225 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00156 \text{ lb/ton}) * (4 \text{ piles}) = 33.77 \text{ lb/day}$  (Summer hours) **33.77** lb/day

Calculation:  $(225 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00156 \text{ lb/ton}) * (4 \text{ piles}) * (1 - 50/100) = 16.88 \text{ lb/day}$  (Summer hours) **16.88** lb/day

Calculation:  $(225 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.00156 \text{ lb/ton}) * (4 \text{ piles}) = 7.03 \text{ lb/day}$  (Winter hours) **7.03** lb/day

Calculation:  $(225 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.00156 \text{ lb/ton}) * (4 \text{ piles}) * (1 - 50/100) = 3.52 \text{ lb/day}$  (Winter hours) **3.52** lb/day

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

Where:  $k = \text{particle size multiplier} = 0.053$  (Value for PM < 2.5 microns per AP 42, Sec. 13.2.4.3, 11/06) 0.053

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

$M = \text{material moisture content} = 3\%$  (Estimate based on values provided in AP 42, Sec. 13.2.4.3, 11/06) 3.0 %

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

Calculation:  $(225 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00024 \text{ lb/ton}) * (4 \text{ piles}) = 5.11 \text{ lb/day}$  (Summer hours) **5.11** lb/day

Calculation:  $(225 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.00024 \text{ lb/ton}) * (4 \text{ piles}) * (1 - 50/100) = 2.56 \text{ lb/day}$  (Summer hours) **2.56** lb/day

Calculation:  $(225 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.00024 \text{ lb/ton}) * (4 \text{ piles}) = 1.07 \text{ lb/day}$  (Winter hours) **1.07** lb/day

Calculation:  $(225 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.00024 \text{ lb/ton}) * (4 \text{ piles}) * (1 - 50/100) = 0.53 \text{ lb/day}$  (Winter hours) **0.53** lb/day

### Conveyor Transfer Point

Maximum Process Rate = 900 ton/hr (Maximum single screen process rate estimate) 900 ton/hr

Maximum Hours of Operation = 24 hrs/day 24 hrs/day

Maximum Hours of Operation = 5 hrs/day	5 hrs/day
Number of Transfers = 3 transfer	3 transfer

**Filterable PM Emissions:**

Emission Factor = 0.00014 lb/ton (0.0030 uncontrolled, 0.00014 controlled, AP 42, Table 11.19.2-2, 8/04)	0.00014 lb/ton
Control Efficiency = 0%	0 %
Calculation: (900 ton/hr) * (24 hrs/day) * (0.00014 lb/ton) * (3 transfer) = 9.07 lb/day (Summer Hours)	<b>9.07</b> lb/day
Calculation: (900 ton/hr) * (24 hrs/day) * (0.00014 lb/ton) * (3 transfer) * (1 - 0/100) = 9.07 lb/day (Summer Hours)	<b>9.07</b> lb/day
Calculation: (900 ton/hr) * (5 hrs/day) * (0.00014 lb/ton) * (3 transfer) = 1.89 lb/day (Winter Hours)	<b>1.89</b> lb/day
Calculation: (900 ton/hr) * (5 hrs/day) * (0.00014 lb/ton) * (3 transfer) * (1 - 0/100) = 1.89 lb/day (Winter Hours)	<b>1.89</b> lb/day

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

Emission Factor = 0.000046 lb/ton (0.00110 uncontrolled, 0.000046 controlled, AP 42, Table 11.19.2-2, 8/04)	0.000046 lb/ton
Control Efficiency = 0%	0 %
Calculation: (900 ton/hr) * (24 hrs/day) * (0.000046 lb/ton) * (3 transfer) = 2.98 lb/day (Summer Hours)	<b>2.98</b> lb/day
Calculation: (900 ton/hr) * (24 hrs/day) * (0.000046 lb/ton) * (3 transfer) * (1 - 0/100) = 2.98 lb/day (Summer Hours)	<b>2.98</b> lb/day
Calculation: (900 ton/hr) * (5 hrs/day) * (0.000046 lb/ton) * (3 transfer) = 0.62 lb/day (Winter Hours)	<b>0.62</b> lb/day
Calculation: (900 ton/hr) * (5 hrs/day) * (0.000046 lb/ton) * (3 transfer) * (1 - 0/100) = 0.62 lb/day (Winter Hours)	<b>0.62</b> lb/day

**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)	0.000013 lb/ton
Control Efficiency = 0%	0 %
Calculation: (900 ton/hr) * (24 hrs/day) * (0.000013 lb/ton) * (3 transfer) = 0.84 lb/day (Summer Hours)	<b>0.84</b> lb/day
Calculation: (900 ton/hr) * (24 hrs/day) * (0.000013 lb/ton) * (3 transfer) * (1 - 0/100) = 0.84 lb/day (Summer Hours)	<b>0.84</b> lb/day
Calculation: (900 ton/hr) * (5 hrs/day) * (0.000013 lb/ton) * (3 transfer) = 0.18 lb/day (Winter Hours)	<b>0.18</b> lb/day
Calculation: (900 ton/hr) * (5 hrs/day) * (0.000013 lb/ton) * (3 transfer) * (1 - 0/100) = 0.18 lb/day (Winter Hours)	<b>0.18</b> lb/day

**Crushing**

Maximum Process Rate = 900 ton/hr (Maximum plant process rate)	900 ton/hr
Maximum Hours of Operation = 24 hrs/day (Summer Hours)	24 hrs/day
Maximum Hours of Operation = 5 hrs/day (Winter Hours)	5 hrs/day
Number of Screens = 1 crusher	1 crusher

**Total PM Emissions:**

Emission Factor = 0.0054 lb/ton (tertiary crushing (uncontrolled), AP 42, Table 11.19.2-2, 8/04)	0.0054 lb/ton
Control Efficiency = 0%	0 %
Calculation: (900 ton/hr) * (24 hrs/day) * (0.0054 lb/ton) * (1 crusher(s)) = 116.64 lb/day (Summer Hours)	<b>116.64</b> lb/day

Hours)

Calculation:  $(900 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.0054 \text{ lb/ton}) * (1 \text{ crusher(s)}) * (1 - 0/100) = 116.64$  lb/day (Summer Hours) **116.64** lb/day

Calculation:  $(900 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.0054 \text{ lb/ton}) * (1 \text{ crusher(s)}) = 24.30$  lb/day (Summer Hours) **24.30** lb/day

Calculation:  $(900 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.0054 \text{ lb/ton}) * (1 \text{ crusher(s)}) * (1 - 0/100) = 24.30$  lb/day (Summer Hours) **24.30** lb/day

#### **Total PM10 Emissions:**

Emission Factor = 0.0024 lb/ton (tertiary crushing (uncontrolled), AP 42, Table 11.19.2-2, 8/04) 0.0024 lb/ton

Control Efficiency = 0% 0 %

Calculation:  $(900 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.0024 \text{ lb/ton}) * (1 \text{ crusher(s)}) = 51.84$  lb/day (Summer Hours) **51.84** lb/day

Calculation:  $(900 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.0024 \text{ lb/ton}) * (1 \text{ crusher(s)}) * (1 - 0/100) = 51.84$  lb/day (Summer Hours) **51.84** lb/day

Calculation:  $(900 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.0024 \text{ lb/ton}) * (1 \text{ crusher(s)}) = 10.80$  lb/day (Summer Hours) **10.80** lb/day

Calculation:  $(900 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.0024 \text{ lb/ton}) * (1 \text{ crusher(s)}) * (1 - 0/100) = 10.80$  lb/day (Summer Hours) **10.80** lb/day

#### **Total PM2.5 Emissions:**

Emission Factor = 0.0001 lb/ton (tertiary crushing (controlled), AP 42, Table 11.19.2-2, 8/04) 0.0001 lb/ton

Control Efficiency = 0% 0 %

Calculation:  $(900 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.0001 \text{ lb/ton}) * (1 \text{ crusher(s)}) = 2.16$  lb/day (Summer Hours) **2.16** lb/day

Calculation:  $(900 \text{ ton/hr}) * (24 \text{ hrs/day}) * (0.0001 \text{ lb/ton}) * (1 \text{ crusher(s)}) * (1 - 0/100) = 2.16$  lb/day (Summer Hours) **2.16** lb/day

Calculation:  $(900 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.0001 \text{ lb/ton}) * (1 \text{ crusher(s)}) = 0.45$  lb/day (Summer Hours) **0.45** lb/day

Calculation:  $(900 \text{ ton/hr}) * (5 \text{ hrs/day}) * (0.0001 \text{ lb/ton}) * (1 \text{ crusher(s)}) * (1 - 0/100) = 0.45$  lb/day (Summer Hours) **0.45** lb/day

#### **Diesel Engine**

Note: Emissions are based on the power output of the engine (1461 hp).

Operational Capacity of Engine = 1,461 hp 1,461 hp

Hours of Operation = 24.00 hrs/day (Summer Hours) 24.00 hrs/day

Hours of Operation = 14.00 hrs/day (Winter Hours) 14.00 hrs/day

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

Emission Factor = 0.00033 lb/hp-hr (40 CFR 89 Subpart B, Table 1) 3.30E-04 lb/hp-hr

Calculation:  $(24 \text{ hrs/day}) * (1,461 \text{ hp}) * (0.00033 \text{ lb/hp-hr}) = 11.57$  lb/day (Summer Hours) **11.57** lb/day

Calculation:  $(14 \text{ hrs/day}) * (1,461 \text{ hp}) * (0.00033 \text{ lb/hp-hr}) = 6.75$  lb/day (Winter Hours) **6.75** lb/day

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

Emission Factor = 0.006612 lb/hp-hr (40 CFR 89 Subpart B, Table 1) 0.006612 lb/hp-hr

Calculation:  $(24 \text{ hrs/day}) * (1,461 \text{ hp}) * (0.006612 \text{ lb/hp-hr}) = 231.84$  lb/day (Summer Hours) **231.84** lb/day

Calculation:  $(14 \text{ hrs/day}) * (1,461 \text{ hp}) * (0.006612 \text{ lb/hp-hr}) = 135.24$  lb/day (Winter Hours) **135.24** lb/day

#### **CO Emissions:**

Emission Factor = 0.0000147 lbs/hp-hr (40 CFR 89 Subpart B, Table 1) 1.47E-05 lbs/hp-hr

Calculation:  $(24 \text{ hrs/day}) * (1,461 \text{ hp}) * (0.0000147 \text{ lbs/hp-hr}) = 0.52$  lb/day (Summer Hours) **0.52** lb/day

Calculation:  $(14 \text{ hrs/day}) * (1,461 \text{ hp}) * (0.0000147 \text{ lbs/hp-hr}) = 0.30$  lb/day (Winter Hours) **0.30** lb/day

#### **VOC Emissions:**

Emission Factor = 0.0025141 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, TOC, Exhaust & Crankcase, 10/96)	2.51E-03	lbs/hp-hr
Calculation: (24 hrs/day) * (1,461 hp) * (0.0025141 lbs/hp-hr) = 88.15 lb/day (Summer Hours)	<b>88.15</b>	lb/day
Calculation: (14 hrs/day) * (1,461 hp) * (0.0025141 lbs/hp-hr) = 51.42 lb/day (Winter Hours)	<b>51.42</b>	lb/day

**SOx Emissions:**

Emission Factor = 0.00205 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)	2.05E-03	lbs/hp-hr
Calculation: (24 hrs/day) * (1,461 hp) * (0.00205 lbs/hp-hr) = 71.88 lb/day (Summer Hours)	<b>71.88</b>	lb/day
Calculation: (14 hrs/day) * (1,461 hp) * (0.00205 lbs/hp-hr) = 41.93 lb/day (Winter Hours)	<b>41.93</b>	lb/day

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

Emission Factor = 1.15 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)	1.15	lbs/hp-hr
Calculation: (24 hrs/day) * (1,461 hp) * (1.15 lbs/hp-hr) = 40,323.60 lb/day (Summer Hours)	<b>40323.60</b>	lb/day
Calculation: (14 hrs/day) * (1,461 hp) * (1.15 lbs/hp-hr) = 23,522.10 lb/day (Winter Hours)	<b>23522.10</b>	lb/day

**Haul Roads**

Vehicle Miles Traveled (VMT) per Day = 5 VMT/day (Estimate)	5	VMT/day
VMT per hour = (5 VMT/day) * (day/24 hrs) = 0.21 VMT/hr	0.21	VMT/hr
Hours of Operation = 24 hrs/day (Summer Hours)	24	hrs/day
Hours of Operation = 5 hrs/day (Winter Hours)	5	hrs/day

**PM Emissions:**

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

Emission Factor = $k * (s / 12)^a * (W / 3)^b = 12.46$ lb/VMT	12.46	lb/VMT
Where: k = constant = 4.9 lbs/VMT (Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)	4.9	lbs/VMT
s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)	7.1	%
W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)	54	tons
a = constant = 0.7 (Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)	0.7	
b = constant = 0.45 (Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)	0.45	
Control Efficiency = 50% (Water spray or chemical dust suppressant)	50	%
Calculation: (24 hrs/day) * (0.21 VMT/hr) * (12.46 lb/VMT) = 62.30 lb/day (Uncontrolled Emissions, Summer Hours)	<b>62.30</b>	lb/day
Calculation: (24 hrs/day) * (0.21 VMT/hr) * (12.46 lb/VMT) * (1-50/100) = 31.15 lb/day (50% control efficiency, Summer Hours)	<b>31.15</b>	lb/day
Calculation: (5 hrs/day) * (0.21 VMT/hr) * (12.46 lb/VMT) = 12.98 lb/day (Uncontrolled Emissions, Winter Hours)	<b>12.98</b>	lb/day
Calculation: (5 hrs/day) * (0.21 VMT/hr) * (12.46 lb/VMT) * (1-50/100) = 6.49 lb/day (50% control efficiency, Winter Hours)	<b>6.49</b>	lb/day

**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 = $k * (s / 12)^a * (W / 3)^b = 3.43$ lb/VMT	3.43	lb/VMT
Where: k = constant = 1.5 lbs/VMT (Value for PM10, AP 42, Table 13.2.2-2, 11/06)	1.5	lbs/VMT
s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)	7.1	%
W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)	54	tons
a = constant = 0.9 (Value for PM10, AP 42, Table 13.2.2-2, 11/06)	0.9	
b = constant = 0.45 (Value for PM10, AP 42, Table 13.2.2-2, 11/06)	0.45	
Control Efficiency = 50% (Water spray or chemical dust suppressant)	50	%
Calculation: (24 hrs/day) * (0.21 VMT/hr) * (3.43 lb/VMT) = 17.17 lb/day (Uncontrolled	<b>17.17</b>	lb/day

Emissions, Summer Hours)

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

Calculation: (5 hrs/day) \* (0.21 VMT/hr) \* (3.43 lb/VMT) = 3.58 lb/day (Uncontrolled Emissions, Winter Hours) **3.58** lb/day

Calculation: (5 hrs/day) \* (0.21 VMT/hr) \* (3.43 lb/VMT) \* (1-50/100) = 1.79 lb/day (50% control efficiency, Winter Hours) **1.79** lb/day

### **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 =  $k * (s / 12)^a * (W / 3)^b = 0.34$  lb/VMT 0.34 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) 0.15 lbs/VMT

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

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

a = constant = 0.9 (Value for PM<sub>2.5</sub>, AP 42, Table 13.2.2-2, 11/06) 0.9

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

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

Calculation: (24 hrs/day) \* (0.21 VMT/hr) \* (0.34 lb/VMT) = 1.72 lb/day (Uncontrolled Emissions, Summer Hours) **1.72** lb/day

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

Calculation: (5 hrs/day) \* (0.21 VMT/hr) \* (0.34 lb/VMT) = 0.36 lb/day (Uncontrolled Emissions, Winter Hours) **0.36** lb/day

Calculation: (5 hrs/day) \* (0.21 VMT/hr) \* (0.34 lb/VMT) \* (1-50/100) = 0.18 lb/day (50% control efficiency, Winter Hours) **0.18** lb/day

## V. Existing Air Quality

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

MAQP #5164-00 and Addendum 1 are for a portable crushing/screening plant that will locate at sites in or within 10 kilometers (km) of certain PM<sub>10</sub> nonattainment areas. The more stringent operating conditions contained in the addendum will minimize any potential impact on the nonattainment areas and will protect the national ambient air quality standards. Also, this facility is a portable source that would be expected to operate on an intermittent and temporary basis and any effects on air quality would be expected to be minor and short-lived.

## VI. Air Quality Impacts

MAQP #5164-00 and Addendum 1 will cover the operations of this portable crushing/screening plant while operating at any location within Montana, excluding those counties that have a Department approved permitting program and those areas that are tribal lands.

Addendum 1 will cover the operations of this portable crushing/screening plant, while operating in or within 10 km of a PM<sub>10</sub> nonattainment area during the winter months (October 1 through March 31) as well as during the summer months (April 1 through September 30).

#### VII. Taking or Damaging Implication Analysis

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

YES	NO	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deny a fundamental attribute of ownership? (ex.: right to exclude others, disposal of property)
	X	4. Does the action deprive the owner of all economically viable uses of the property?
	X	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? [If no, go to (6)].
	X	5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
	X	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.

Addendum Analysis Prepared by: R. Payne

Date: 7/26/16