

Air Quality Permit

Issued to:	Montana Resources 600 Shields Avenue Butte, MT 59701	Permit #1749-12 Administrative Amendment (AA) Request Received: 01/04/02 Department Decision on AA Issued: 12/23/03 Permit Final: 01/8/04 AFS #: 30-093-0009
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An air quality permit, with conditions, is hereby granted to Montana Resources pursuant to Sections 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

SECTION I: Permitted Facilities

A. Plant Location

An open pit copper and molybdenum mine, crushing facilities, milling operation and concentrator, located in Butte, Montana, Township 3 North, Range 7 West, Silver Bow County.

B. Current Permit Action

The Department of Environmental Quality (Department) received a letter from Montana Resources on January 4, 2002, requesting the termination of their ambient air monitoring program at the Montana Resources mining operation. The Department reviewed the request and supporting information relative to the Department's October 1998 Monitoring Requirements Guidance Statement. In a letter dated March 5, 2002, the Department approved the request. This permit action removes the ambient air monitoring requirements from the permit, clarifies stack testing timeframes in Section II.E.4, and updates the rule citations in the permit.

SECTION II: Limitations and Conditions

A. Emission Control Requirements

Montana Resources shall install, operate and maintain the following emission control equipment and practices, and all emission control equipment and practices as specified in their Montana Air Quality Permit and subsequent revisions, as shown in Section I.A. of the permit analysis (Existing Equipment, Facilities and Control Equipment/Procedures).

1. Fall distance shall be minimized during transfer of topsoil, overburden, and ore and waste removal (ARM 17.8.749).
2. Except as described below, all tailings ponds shall be maintained wet to the greatest extent possible. If a violation of the 20% opacity standard is documented, installation of particulate control measures approved by the Department will be required. If the conditions at the tailings ponds change, Montana Resources must develop a long-term fugitive dust control plan for the tailings ponds. The Department's approval of any plan submitted by Montana Resources does not relieve Montana Resources of its obligation to comply with all statutes and rules of the Clean Air Act of Montana, specifically including, but not limited to, ARM 17.8.308, Particulate Matter, Airborne (ARM 17.8.749).

3. Drilling shall utilize water sprays and mechanical deflectors and shall be conducted in such a way as to minimize fugitive emissions (ARM 17.8.749).
4. Blasting shall be conducted so as to prevent overshooting (ARM 17.8.749).
5. All haul roads and access roads shall be treated with water, as needed, and chemical dust suppressant at least one time per year, during October or November. If a violation of the 5% opacity standard is documented, more frequent applications of water and chemical dust suppressant will be required (ARM 17.8.749).
6. The primary crusher shall be equipped with a negative air pressure/baghouse system (ARM 17.8.749).
7. The primary crusher ore dump shall be equipped with a negative air pressure/baghouse system and water sprays (ARM 17.8.749).
8. The lime storage bins shall be controlled by a fabric filter collecting system (ARM 17.8.749).
9. The coarse-ore 3-7 transfer area shall be controlled by a baghouse (ARM 17.8.749).
10. The secondary crushers and the fine ore storage bins shall be controlled by baghouse systems (ARM 17.8.749).
11. All ore conveyors must be covered (ARM 17.8.749).
12. The molybdenum dryer shall be controlled by a high efficiency (99% control) wet scrubber (ARM 17.8.749).
13. Montana Resources shall not burn diesel fuel containing more than 0.05% sulfur by weight after December 31, 1993 (ARM 17.8.749).
14. Montana Resources shall operate and maintain the Detroit Diesel Electronic Control (DDEC) packages, or equivalent, on at least 15 haul trucks that have been converted (ARM 17.8.749).

B. Emission Limitations

1. Montana Resources shall not cause or authorize to be discharged into the atmosphere from any facility, unless otherwise specified, any visible emissions, point or fugitive, which exhibit opacity of 20% or greater. This opacity limitation applies to, but is not limited to, visible emissions from drilling, blasting, and all ore and waste handling (removal, dumping, etc.) (ARM 17.8.304).
2. Montana Resources shall not cause or authorize to be discharged into the atmosphere any visible fugitive emissions from haul roads or access roads that exhibit opacity of 5% or greater (ARM 17.8.749).
3. Montana Resources shall not cause or authorize to be discharged into the atmosphere any visible fugitive emissions from parking lots, disturbed areas, tailings ponds or storage piles that exhibit opacity of 20% or greater (ARM 17.8.308).

4. Montana Resources shall not cause or authorize to be discharged into the outdoor atmosphere from the primary crusher, lime bin, or coarse ore conveying system visible emissions that exhibit an opacity of 10% or greater (ARM 17.8.749).
5. Montana Resources shall not cause or authorize to be discharged into the outdoor atmosphere from the secondary crushers, fine ore storage bins or the molybdenum dryer, visible emissions that exhibit an opacity of 15% or greater (ARM 17.8.749).
6. Montana Resources shall not cause or authorize to be discharged into the outdoor atmosphere from the primary crusher, coarse-ore conveying system, secondary crushers, or the fine ore bins, total particulate emissions in excess of 0.05 gm/dscm (ARM 17.8.749).
7. Montana Resources shall implement the contingency measure for emission and production limitations within 60 days of notification by the Department that the National Ambient Air Quality Standards for PM₁₀ have been exceeded in the Butte Silver Bow PM₁₀ nonattainment area (ARM 17.8.749).
8. Montana Resources shall not cause or authorize to be discharged into the atmosphere particulate emissions from the following sources in excess of the following limits. These limits are based on the DDEC packages being installed on 15 of the haul trucks and without the implementation of the contingency measure for Montana Resources (ARM 17.8.749).

a. Winter (Nov. - Feb.) Seasonal Emission Limitations

EMISSION POINT	TOTAL PARTICULATE Tons/Season	PM ₁₀ Tons/Season
Haul Trucks	932.5	335.7
Diesel Exhaust	4.3	4.3
Lime Unloading	0.2	0.1
Support Vehicles	103.2	37.1
Molybdenum Dryer	0.1	0.1
Primary Crusher Ore Dump	30.8	15.4
Total from all sources at facility	2175.7	834.9

b. Summer (Mar. - Oct.) Seasonal Emission Limitations

EMISSION POINT	TOTAL PARTICULATE Tons/Season	PM ₁₀ Tons/Season
Haul Trucks	2,631.6	947.4
Diesel Exhaust	22.5	22.5
Lime Unloading	0.8	0.3
Support Vehicles	428.0	154.0
Molybdenum Dryer	0.1	0.1
Primary Crusher Ore Dump	156.4	78.2
Total from all sources at facility	11,299.4	4,332.6

c. Winter (Nov. - Feb.) Daily Emission Limitations

EMISSION POINT	TOTAL PARTICULATE Pounds/Day	PM ₁₀ Pounds/Day
Haul Trucks	15,362.0	5,530.3
Diesel Exhaust	71.3	71.3
Lime Unloading	3.2	1.3
Support Vehicles	1712.3	615.9
Molybdenum Dryer	0.1	0.1
Primary Crusher Ore Dump	528.0 ¹	264.0 ²
Total from all sources at facility	35,925.6	3,145.1

9. In the event the contingency measure must be implemented, Montana Resources shall not cause or authorize to be discharged into the atmosphere particulate emissions from the following sources in excess of the following limits. These limits are based on the DDEC packages being installed on 11 of the 15 haul trucks (ARM 17.8.749).

a. Winter (Nov. - Feb.) Seasonal Emission Limitations

EMISSION POINT	TOTAL PARTICULATE Tons/Season	PM ₁₀ Tons/Season
Haul Trucks	591.3	212.9
Diesel Exhaust	4.0 ³	4.0 ³
Lime Unloading	0.2	0.1
Support Vehicles	103.2	37.1
Molybdenum Dryer	0.1	0.1
Primary Crusher Ore Dump	28.0	14.0
Total from all sources at facility	1,831.4	710.4

b. Summer (Mar. - Oct.) Seasonal Emission Limitations

EMISSION POINT	TOTAL PARTICULATE Tons/Season	PM ₁₀ Tons/Season
Haul Trucks	2,447.7	881.3
Diesel Exhaust	22.5 ³	22.5 ³
Lime Unloading	0.8	0.3
Support Vehicles	428.0	154.0
Molybdenum Dryer	0.1	0.1
Primary Crusher Ore Dump	151.1	75.6
Total from all sources at facility	11,110.2	4,263.9

¹ Fluctuation occurred at the Primary Crusher Ore Dump during the CMB study year and the range has been reported by Montana Resources. The average during the winter months will remain at 528.0 lb/day of total particulate, but the maximum that may occur on any day is 646.7 lb/day of total particulate.

² Fluctuation occurred at the Primary Crusher Ore Dump during the CMB study year and the range has been reported by Montana Resources. The average during the winter months will remain at 264.0 lb/day of PM-10, but the maximum that may occur on any day is 323.4 lb/day of PM-10.

³ These emissions have been reduced from the emission limitations in Permit #1749-04 by 31.5% for the installation of the DDEC packages on 11 of the 15 haul trucks in addition to the 17% reduction in emissions due to the installation of the injectors, intercoolers, etc. on the haul trucks.

c. Winter (Nov. - Feb.) Daily Emission Limitations:

EMISSION POINT	TOTAL PARTICULATE Pounds/Day	PM ₁₀ Pounds/Day
Haul Trucks	9,817.0	3,532.9
Diesel Exhaust	66.2 ³	66.2 ³
Lime Unloading	3.2	1.3
Support Vehicles	1,712.3	615.9
Molybdenum Dryer	0.1	0.1
Primary Crusher Ore Dump	463.5 ⁴	232.4 ⁵
Total from all sources at facility	30,311.0	1,111.0

d. Compliance Determination

- i) Compliance with annual, seasonal, and daily emission limits shall be determined through calculations, using annual, seasonal, and daily production information submitted by Montana Resources and representative emission rates (lb/hr, gr/dscf, etc.) determined during the required source tests (for point sources) or emission factors (for fugitive sources).
- ii) Exceedances of the production limitations or implementation of process changes or changes in air pollution control equipment or procedures that increase emission rates, determined through the applicable emission factor, will constitute violations of the annual emission limits.
- iii) Changes in the applicable emission factors or PM₁₀ fractions due to testing or analysis, reassessment of applicable emission factors or use of revised or updated emission factors by the Department or EPA will be reflected in changes in the allowable emission rates and compliance determinations, but will not result in changes in the production limitations.
- iv) Changes in the applicable emission factors, PM₁₀ fractions, or emission rates, due to substantive process changes or changes in air pollution control equipment or procedures, will be reflected in the compliance determination.
- v) Implementation of substantive process changes or changes in air pollution control equipment or procedures may require an air quality permit alteration prior to implementation or construction pursuant to ARM 17.8, Subchapter 7, Permit, Construction and Operation of Air Contaminant Sources.

³. These emissions have been reduced from the emission limitations in Permit #1749-04 by 31.5% for the installation of the DDEC packages on 11 of the 15 haul trucks in addition to the 17% reduction in emissions due to the installation of the injectors, intercoolers, etc. on the haul trucks.

⁴ Fluctuation occurred at the Primary Crusher Ore Dump during the CMB study year and the range has been reported by Montana Resources. The average during the winter months will remain at 463.5 lb/day of total particulate, but the maximum that may occur on any day is 571.16 lb/day of total particulate.

⁵ Fluctuation occurred at the Primary Crusher Ore Dump during the CMB study year and the range has been reported by Montana Resources. The average during the winter months will remain at 232.4 lb/day of PM-10, but the maximum that may occur on any day is 285.6 lb/day of PM-10.

- vi) Emission decreases for specific emission points resulting from substantive process changes or changes in air pollution control equipment or procedures may be distributed among other emission points within the source to increase the overall production if the process changes or the changes in air pollution control equipment or procedures are made enforceable through inclusion as permit conditions. The production rates and emission limitations for the named emission points may not be increased unless any emission increases are offset by emission decreases from other named sources. The amount of offset required in each case shall be based on the relative ambient impact of each named source based on the Butte Chemical Mass Balance (CMB)/source apportionment study.

Montana Resources has installed DDEC packages on 15 of the haul trucks at the mine, which allowed the Department to change the levels contained in Section II.B.8.a-c and Section II.C.1-3 of Permit #1749-10. Montana Resources must still comply with the contingency measure, as necessary. In the event the contingency measure has to be implemented by Montana Resources, emission and production levels will revert to the pre-DDEC levels contained in Section II.B.9.a-c and Section II.C.4-6 of Permit #1749-10.

e. Emission Factors/PM₁₀ Fractions

The allowable emission rates for each listed fugitive emission source were calculated using the following emission factors and PM₁₀ fractions.

EMISSION POINT	EMISSION FACTOR	PM ₁₀ FRACTION
Blasting	50 lb/blast	50%
Waste Removal	.01 lb/ton	50%
Ore Removal	.01 lb/ton	50%
Haul Trucks	24.7 lb/vmt	36%
Waste Dumping	.01 lb/ton	50%
Diesel Exhaust	17.7 lb/1000 gal	100%
Drilling	1.5 lb/hole	50%
Wind Erosion Disturbed Areas	33.2 g/m ² /yr	50%
Wind Erosion Tailings Pond	1.3 ton/acre/yr	50%
Support Vehicles	1.4 lb/VMT	50%
Coarse Ore Stockpile	.01 lb/ton	50%

C. Production Limitations

Montana Resources shall not exceed the following production limitations. These limits are based on the DDEC packages being installed on 15 of the haul trucks and before the contingency measure for Montana Resources is implemented (ARM 17.8.749).

1. Winter (Nov.-Feb.) Seasonal Production Limitations

EMISSION POINT (Production Units)	MAXIMUM SEASONAL PRODUCTION RATE
Haul Trucks (vmt)	503,386.3
Diesel Exhaust (gallons of diesel)	1,220,624.3
Lime Unloading (tons of lime)	27,738.5
Support Vehicles (vmt)	353,331.4
Molybdenum Dryer (tons of molybdenum)	9,795.9
Primary Crusher Ore Dump (tons of ore)	6,840,821.9

2. Summer (Mar.-Oct.) Seasonal Production Limitations

EMISSION POINT (Production Units)	MAXIMUM SEASONAL PRODUCTION RATE
Haul Trucks (vmt)	1,420,560.0
Diesel Exhaust (gallons of diesel)	6,358,664.9
Lime Unloading (tons of lime)	123,898.5
Support Vehicles (vmt)	1,466,666.0
Molybdenum Dryer (tons of molybdenum)	61,875.6
Primary Crusher Ore Dump (tons of ore)	34,759,820.9

3. Winter (Nov.-Feb.) Daily Production Limitations

EMISSION POINT (Production Units)	MAXIMUM DAILY PRODUCTION RATE (unless designated otherwise)
Haul Trucks (vmt)	4,146.3
Diesel Exhaust (gallons of diesel)	10,065.8
Lime Unloading (average tons of lime/day)	231.2
Support Vehicles (vmt)	2,944.4
Molybdenum Dryer (tons of molybdenum)	81.6
Primary Crusher Ore Dump (average tons of ore/day)	58,670.7 ⁶

In the event that a contingency measure must be implemented, Montana Resources shall not exceed the following production limitations. These limits are based on the DDEC packages being installed on 11 of the 15 haul trucks.

4. Winter (Nov.-Feb.) Seasonal Production Limitations

EMISSION POINT (Production Units)	MAXIMUM SEASONAL PRODUCTION RATE
Haul Trucks (vmt)	318,950.0
Diesel Exhaust (gallons of diesel)	871,281.7
Lime Unloading (tons of lime)	27,738.5
Support Vehicles (vmt)	353,331.4
Molybdenum Dryer (tons of molybdenum)	9,795.9
Primary Crusher Ore Dump (tons of ore)	6,218,929.1

5. Summer (Mar.-Oct.) Seasonal Production Limitations:

EMISSION POINT (Production Units)	MAXIMUM SEASONAL PRODUCTION RATE
Haul Trucks (vmt)	1,320,299.7
Diesel Exhaust (gallons of diesel)	4,941,801.1
Lime Unloading (tons of lime)	123,898.5
Support Vehicles (vmt)	1,466,666.0
Molybdenum Dryer (tons of molybdenum)	61,875.6
Primary Crusher Ore Dump (tons of ore)	33,576,892.4

6 Fluctuation occurred at the Primary Crusher Ore Dump during the CMB study year and the range has been reported by Montana Resources. The average production during the winter months will remain at 58,670.7 tons of ore, but the maximum that may occur on any day is 71,860.9 tons of ore.

6. Winter (Nov.-Feb.) Daily Production Limitations

EMISSION POINT (Production Units)	MAXIMUM DAILY PRODUCTION RATE (unless designated otherwise)
Haul Trucks (vmt)	2,657.9
Diesel Exhaust (gallons of diesel)	7,260.7
Lime Unloading (average tons of lime/day)	231.2
Support Vehicles (vmt)	2,944.4
Molybdenum Dryer (tons of molybdenum)	81.6
Primary Crusher Ore Dump (average tons of ore/day)	51,824.4 ⁷

D. Operational Reporting Requirement

1. Montana Resources 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 is not limited to, all sources of emissions identified in Section I of this permit.

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.

Montana Resources shall supply a summary report listing the maximum daily production achieved during the months of November through February for those emission points that have a daily production limitation. This information, along with the winter seasonal inventory described below, must be submitted to the Department by April 15 of the following calendar year

In addition, Montana Resources shall supply the Department with annual, seasonal, and daily particulate emission inventories for the emission points listed in Section I.A of the permit analysis. This information is required to verify compliance with permit conditions and may also be used in the annual emission inventory. The emission inventories shall include the following production data (on an annual, winter seasonal, and summer seasonal basis), a listing of all emission factors used, all calculations and other related information that may be requested. This annual information must be submitted to the Department by March 1 of the following calendar year (ARM 17.8.505).

- a. Tons of ore removed;
- b. Tons of waste, including all non-ore material removed;
- c. Haul truck vehicle miles traveled (this must include all supporting information such as length of haul, number of trucks, weight of trucks, etc.);

⁷ Fluctuation occurred at the Primary Crusher Ore Dump during the CMB study year and the range has been reported by Montana Resources. The average production during the winter months will remain at 51,824.4 tons of ore, but the maximum that may occur on any day is 63,460 tons of ore.

- d. Support vehicle miles traveled (this must include all supporting information such as length of haul, number of trucks, weight of trucks, etc.);
 - e. Number of holes drilled;
 - f. Number of blasts;
 - g. Tons of ore through the primary crusher;
 - h. Tons of ore through each of the secondary crushers;
 - i. Tons of ore through the fine ore system;
 - j. Tons of feed to concentrator;
 - k. Current acreage of disturbed area;
 - l. Current exposed area of tailings pond;
 - m. Gallons of diesel consumed;
 - n. Tons of lime unloaded; and
 - o. Tons through molybdenum dryer.
2. Montana Resources shall notify the Department of any construction or improvement project conducted pursuant to ARM 17.8.745(1) that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit. The notice must be submitted to the Department, in writing, 10 days prior to start up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(1)(d) (ARM 17.8.745).
 3. Montana Resources shall submit a source test protocol no later than 25 working days prior to any proposed test date, according to the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).

E. Emission Testing

1. Montana Resources shall conduct monthly visible emission observations on the tailings pond from May through September to demonstrate compliance with the applicable visible emission standard for at least 1 year after the issuance of Permit #1749-07 (ARM 17.8.105).
2. A summary of the emission observations shall be submitted to the Department by October 31 of each year (ARM 17.8.749).

3. Annually, the visible emissions observation data will be reviewed by the Department and the Department will determine if continued or additional visible emissions monitoring is warranted. The Department may require continued or additional visible emissions monitoring (ARM 17.8.749).
4. Montana Resources shall perform compliance source tests (submittal of reports) on the primary crusher, the secondary crushers, the coarse ore conveying system, the fine ore system, and the molybdenum dryer before August 1, 2004, and at least once every 4 years thereafter, or according to another testing schedule approved by the Department. The source tests shall include determination of total mass particulate and shall be conducted in accordance with the applicable test methods listed in 40 CFR Part 60, Appendix A (Total Particulate) and the Montana Source Test Protocol and Procedures Manual (ARM 17.8.749).
5. All compliance source tests must be conducted in compliance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
6. All records compiled in accordance with this permit shall be maintained by Montana Resources as a permanent business record for at least 5 years following the date of the measurement, shall be submitted to the Department upon request, and shall be available at the plant site for inspection by the Department (ARM 17.8.749).
7. The Department may require further testing (ARM 17.8.105).

SECTION III: General Conditions

- A. Inspection - The recipient shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if the recipient fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving the permittee 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.* (ARM 17.8.756).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401 *et seq.*, MCA.
- E. Appeals - Any person or persons who are jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The Department's decision on the application is not final unless 15 days have elapsed and there is no request for a hearing under this section. The filing of a request for a hearing postpones the effective date of the Department's decision until the conclusion of the hearing and issuance of a final decision by the Board.

- F. Permit Inspection - As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.

- G. Permit Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, the continuing validity of this permit is conditional upon the payment by the permittee of an annual operation fee, as required by the section and rules adopted thereunder by the Board.

Permit Analysis
Montana Resources
Permit #1749-12

I. Introduction

A. Permitted Equipment, Facilities and Control Equipment/Procedures

	CONTROL EQUIPMENT/PROCEDURE	% CONTROL EFFICIENCY
1. Ore and Waste Removal and Handling		
a. Drills	Water Sprays and Mechanical Deflectors	50%
b. Blasting	Reduce Overshoot	0%
c. Ore and Waste Removal Fugitive Dust 1) Loaders, Dozers, Shovels 2) Haul Roads 3) Support Vehicles	Minimize Drop Height Watering and Chemical Stabilization Watering and Chemical Stabilization	0% 85% 85%
d. Diesel Truck Tailpipe Emissions	Installation of smaller injectors, Intercoolers on the turbochargers, Minimum throttle delay devices. Installation of DDEC on 15 haul trucks	17% 43%
e. Waste Dumping	Minimize drop height	0%
f. Wind Erosion Exposed Mill Tailings	None	0%
g. Wind Erosion Disturbed Area	None	0%
2. Crushing		
a. Primary Crusher Ore Dump	Neg. Air/Water	10%
b. Primary Crusher	Baghouse	99%
c. Lime Unloading	Fabric Filter	99%
d. Coarse Ore Conveying	Hoods, Baghouse, Vacuum Truck	99%
e. Coarse Ore Stockpile	None	0%
f. 3 Secondary Crushers	Baghouse	99%
g. Fine Ore Storage Bins	4 Baghouses	99%
3. Molybdenum Dryer	Wet scrubber	99%

B. Process Description

Mining at Montana Resources is done via conventional open-pit methods utilizing blast hole drills, loaders, shovels, trucks, dozers and typical haul road maintenance equipment. All ore is hauled to the primary crusher and then conveyed to the coarse ore stockpile.

Drilling is accomplished using rotary blast hole drills. The drills are crawler or rubber tire mounted and self-contained. Blasting utilizes bulk ANFO and non-electric primers and delays. Wet holes are loaded with a package ANFO or waterproof slurry.

Blast holes are filled with sufficient ANFO to ensure adequate fragmentation. The mining contractor is instructed not to overfill holes, and to clean up spillage prior to blasting. Spillage is placed in holes prior to stemming to ensure detonation. Cuttings from each blast hole are collected and assayed for delineation of ore and waste.

Loading of ore and waste is performed by front-end loaders or shovels. 170- ton trucks

are used for hauling ore and waste. Ore is transported to the crushing plant while waste is taken to the dump sites.

C. Permit History

Montana Resources currently operates an open pit copper and molybdenum mine, crushing and milling operation in Butte, Montana. The original permit, #1749, was issued to Atlantic Richfield Corporation (ARCO) on April 1, 1983, as a result of the Butte Total Suspended Particulate (TSP) State Implementation Plan (SIP).

On July 1, 1987, the Environmental Protection Agency (EPA) promulgated new ambient air quality standards for particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀). The annual PM₁₀ standard is 50 ug/m³ and the 24-hour PM₁₀ standard is 150 ug/m³. These standards were in turn adopted by the Montana Board of Health and Environmental Sciences on April 29, 1988. On August 7, 1987, EPA designated Butte as a PM₁₀ Group I area due to numerous violations of the PM₁₀ 24-hour ambient standards.

The 1990 amendments to the Federal Clean Air Act (FCAA) designated the Butte Group I area as a PM₁₀ nonattainment area in November 1990. As a result of these designations, the Department was required to develop a PM₁₀ emission control program as part of the State Implementation Plan to bring the Butte area into compliance with the PM₁₀ standard and demonstrate maintenance of that standard.

In order to identify the major PM₁₀ emission sources in the area, the Department conducted a chemical mass balance (CMB) study. Since the exceedance days were experienced during the winter when Butte has the worst air quality, the CMB results for the days that exceeded the National Ambient Air Quality Standards (NAAQS) were used for the demonstration of emission contributions for the winter period. Montana Resources' emissions comprised 19.5% of the total contribution seen on the days that exceeded the NAAQS. The CMB study period was from September 25, 1987, through March 25, 1988. Therefore, September and October data was used to determine non-wintertime contributions. Montana Resources' emissions were 18% of the total for that period. Over the entire study period, Montana Resources' emissions comprised 21.3% of the total. Complete results of the CMB study and the compliance and maintenance demonstration are contained in the Butte PM₁₀ SIP.

Since the sources have been identified, control plans were developed for each source (wood stove control programs, sanding material specifications and street sweeping programs, etc.), including the industrial sources (Montana Resources and Rhône-Poulenc).

EPA determined that the demonstration of compliance must be made using allowable emissions and that any allowable emission limits must be federally enforceable. Since Montana Resources' actual emissions during the PM₁₀/CMB study period (3-87 through 2-88) were substantially lower than their allowable emissions, based on Permit #1749A, Montana Resources' permit had to be modified to reduce their allowable emissions. This modification, Permit #1749-04, reduced Montana Resources' allowable daily winter (November through February) emissions to 90% of their actual daily emissions during the 1987-1988 CMB study period. The emissions identified during the CMB study were from the haul trucks, diesel exhaust, lime unloading, support vehicles, molybdenum dryer, and primary crusher ore dump. An average daily wintertime limit for production has been set for each of these sources. Due to the production schedule at Montana Resources during the study period, the primary ore crusher was given an average daily wintertime limit for production and a ceiling production limit. This was done because the

crushing of ore ran on the same schedule currently as was present during the study period. This schedule includes scheduled down time each week for the primary crusher and scheduled down time each week for the secondary crushers. The variation during the study period ranged from 29,225 tons of ore crushed to 63,460. This range is reflected in the study period and was, therefore, allowed for future production. Montana Resources' annual allowable total particulate emissions were reduced to approximately 37% of Montana Resources' current annual allowable total particulate emissions.

Permit #1749-04 also established PM₁₀ emission limitations for the first time, as well as a Reasonably Available Control Measure (RACM)/Reasonably Available Control Technology (RACT) analysis. This permit required the use of chemical dust suppression on the haul roads and contained annual point-specific production and emission limits, and seasonal and daily source-wide production and emission limits. The initial analysis, completed by Department staff as part of the SIP development process, indicated that the modification (Permit #1749-04), in conjunction with the control plans being developed for the other identified sources, demonstrated compliance with the daily and annual PM₁₀ standards in the Butte PM₁₀ nonattainment area by the year 1993. Complete details are contained in the Butte PM₁₀ SIP.

Montana's air quality rules ARM 17.8.733(a) MODIFICATION OF PERMIT allowed the Department to modify a source's permit due to changes in applicable rules or standards adopted by the Board of Health and Environmental Sciences. Permit #1749A was issued to ARCO during the Butte TSP SIP development process and later transferred to Montana Resources. Permit #1749-04 reflected the adoption of the new ambient PM₁₀ standard by the Montana Board of Health and Environmental Sciences. The permit identified that the permit may be further modified if the currently proposed control plan for all point and area sources fails to achieve compliance with the ambient PM₁₀ standards.

On October 13, 1991, and as part of the Butte PM₁₀ SIP, the Department issued a Notification of Permit Modification for the air quality permit held by Montana Resources. On October 28, 1991, a Petition for Hearing on this permit modification was filed by Montana Resources with the Board of Health and Environmental Sciences. After the filing of the petition, the parties met on several occasions and engaged in extensive settlement discussions concerning the terms of a modified permit. The Department and Montana Resources subsequently agreed to the terms of a modified air quality permit for Montana Resources' operations. The Department and Montana Resources filed a Stipulation for Issuance of Final Permit with the Board, which included a proposed modified permit. Paragraphs 7, 8 and 9 of the stipulation described the parties' understanding of the interpretation and application of Part B, Section 6.e.vi of the modified permit. On March 20, 1992, the Board accepted the stipulation and issued a final Order directing the Department to issue the proposed modified permit to Montana Resources. Therefore, Permit #1749-04 was issued on that date.

On November 15, 1993, Montana Resources applied for Permit Alteration #1749-05 to allow for production increases in their diesel consumption, vehicle miles traveled by the haul trucks, and ore hauled to the primary crusher dump. This increase was allowed because Montana Resources installed DDEC packages on 11 of the 15 haul trucks at the mine. The installation of DDEC packages on the haul trucks resulted in a 43% decrease in diesel exhaust emissions per truck. However, since only 11 of the 15 trucks had been retrofitted at the time, the Department only credited Montana Resources 11/15 of 43% or a 31.5% emission decrease.

In addition to allowing the production increases in Permit #1749-05, a contingency measure was also added to this permit. The FCAA Amendments of 1990 require the implementation of a contingency measure within 60 days of notification from EPA that the area has exceeded the NAAQS after the date of December 31, 1994. The contingency measure must reduce ambient PM₁₀ emissions in sufficient amounts to demonstrate compliance as determined in the Butte Silver Bow PM₁₀ SIP from sources that are not currently controlled and accounted for in the Butte Silver Bow PM₁₀ State Implementation Plan.

Since it was determined through source apportionment studies that the Montana Resources facility was one of the largest contributing sources of uncontrolled ambient PM₁₀ emissions in the Butte Silver Bow PM₁₀ nonattainment area, a contingency measure for Montana Resources was determined to be necessary to bring the area back into attainment with the National Ambient Air Quality Standards in the event that these standards are exceeded. The contingency measure to be implemented by Montana Resources in case of an exceedance would be to decrease emission and production levels to the pre-DDEC limitations contained in Section II.B.9.a-c and Section II.C.4-6 of Permit #1749-05.

Also, Montana Resources planned to retrofit the remaining four haul trucks with the DDEC packages in the following 18 months to 2 years. This would result in an additional 11.5% (43%-31.5%) emission decrease, which could be used for production increases elsewhere in the facility. Montana Resources was notified that they would need to apply for a permit alteration requesting production increases when the remaining four trucks were retrofitted to include the DDEC package. These production increases were not included in the contingency measure production levels.

On March 29, 1994, Montana Resources applied for a permit modification, Permit #1749-06, that would allow for the use of water sprays on the primary crusher ore dump. The water sprays provided more emission control than the negative air system currently used to control emissions from the primary crusher ore dump. Since Montana Resources was mining drier ore than previous years, the water spray was required to be utilized in the milling process. However, the water sprays cannot be used at the same time that the negative air system is being used because of the possibility of an obstruction occurring in the negative air system. Also, the water sprays cannot be used in the winter because of the possibility the water lines could freeze. Therefore, a condition was added in Permit #1749-06 that allowed Montana Resources to use either water sprays or a negative air system to control emissions from the primary crusher ore dump.

On May 26, 1996, Permit #1749-07 was issued to Montana Resources. Montana Resources proposed, with concurrence from the Department, to reduce the amount of required opacity observations contained in Section II.F.1 of Permit #1749-06 for their facility. Montana Resources is now only required to conduct monthly visible emission observations for wind erosion from the tailings pond during the months of May through September. There was no emissions increase as a result of this modification.

On July 21, 1997, the Department received a request from Montana Resources to replace the four wet scrubbers controlling emissions from the fine ore storage bins with four new baghouses. The baghouse system will control the particulate emissions better than the wet scrubbers and will result in a reduction in particulate emissions from the facility. This proposal was allowed under the Administrative Rules of Montana (ARM) 17.8.705(1)(q) provided that the permit was modified to reflect that baghouses, instead of the wet scrubbers, will be used to control emissions from the fine ore storage bins.

In addition, the permit was updated to reflect that Montana Resources retrofitted the four remaining haul trucks with the DDEC package for emission control. This would result in a decrease in emissions, which could be used by Montana Resources for an increase in production elsewhere in the facility. Permit #1749-08 replaced Permit #1749-07.

On February 2, 1999, the Department received a request from Montana Resources to modify Permit #1749-08 to clarify some of the existing language in the permit. This modification request was given Permit #1749-09. This modification was withdrawn because other changes were necessary for Montana Resources' permit that could not be completed under the existing modification rule.

On December 30, 1999, Montana Resources was issued Permit #1749-10, which consisted of the following changes:

1. The diesel consumption limitation was increased because Montana Resources had installed 4 additional DDEC packages on the haul trucks and decreased the amount of ore sent to the Primary Crusher Ore Dump. The DDEC packages and the decreased production make offsets available for Montana Resources to use elsewhere at their facility.
2. Montana Resources' monitoring plan was revised to remove the requirement to operate and maintain the PM₁₀ monitor at the Alpine Site. The lot where this monitor was located was sold and Montana Resources was required to remove the monitor from this location. Because the Department operates and maintains a PM₁₀ monitor at the nearby Greeley School, Montana Resources did not have to re-locate the monitor.
3. Montana Resources' monitoring plan was also revised to decrease the monitoring frequency for the remaining sites from every third day to every sixth day.
4. Montana Resources' monitoring plan was also revised to clarify that the annual report is required to be submitted 90 days after the end of the calendar year.
5. The daily production limitation for Lime Unloading was noted to be an average instead of a maximum amount for any one day. The limitation in the permit was changed to 231.2 tons/day as a daily maximum. However, when this limit was established it was calculated as an average value and not a daily maximum, but it was never designated as an average.
6. Condition #14 of the permit was revised to allow for emission controls "equivalent" to the DDEC packages to be installed on the haul trucks in the future.
7. The Department also made the verbiage changes requested by Montana Resources in a letter dated February 1, 1999.

The changes requested by Montana Resources resulted in an overall net decrease in emissions of PM and PM₁₀. Permit #1749-10 replaced Permit #1749-08.

On May 23, 2001, the Department issued its decision on a permit modification for Montana Resources in accordance with the ARM 17.8.733. This permit modification

required Montana Resources to design and operate a water and/or chemical dust suppression system to control emissions from the Yankee Doodle Tailings Pond. The permit also required Montana Resources to develop a long-term plan for the control of emissions from the pond. This was necessary because conditions had changed at the facility since Montana Resources ceased operation during the summer of 2000. Since the closure, wet tailings had not been applied to the surface of the pond and tailings had been observed blowing from the pond. Therefore, it was necessary for Montana Resources to take steps to minimize emissions from the tailings pond and remain in compliance with their air quality permit. Permit #1749-11 replaced Permit #1749-10.

D. Current Permit Action

The Department received a letter from Montana Resources on January 4, 2002, requesting the termination of their ambient air monitoring program at the Montana Resources mining operation. The Department reviewed the request and supporting information relative to the Department's October 1998 Monitoring Requirements Guidance Statement. In a letter dated March 5, 2002, the Department approved the request. This permit action removes the ambient monitoring requirements from the permit, clarifies stack testing timeframes in Section II.E.4, and updates the rule citations in the permit. Permit #1749-12 replaces Permit #1749-11.

E. Additional Information

Additional information, such as applicable rules and regulations, Best Available Control Technology (BACT)/Reasonable Available Control Technology (RACT) determinations, air quality impacts, and environmental assessments, is included in the analysis associated with each change to the permit.

II. Applicable Rules and Regulations

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

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

1. ARM 17.8.101 Definitions. This rule includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment, including instruments and sensing devices, and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to 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 Codes Annotated (MCA).

Montana Resources shall comply with the requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited, 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 of 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 means which, without resulting in a reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner that a public nuisance is created.

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 PM₁₀

Montana Resources 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 an opacity limitation of less than 20% for all stacks or vents.
2. ARM 17.8.308, Particulate Matter, Airborne. This rule requires reasonable precautions for fugitive emissions sources and RACT for existing fugitive sources located in a nonattainment area. The Department determined that a 20% opacity limitation for fugitive sources (5% for haul roads and access roads) and a requirement for use of chemical stabilization on haul roads and access roads will satisfy these requirements. (See Section VI, Permit #1749-05, RACM/RACM Analysis.)
3. ARM 17.8.310, Particulate Matter, Industrial Processes. This rule requires that no person shall cause, allow or permit to be discharged into the atmosphere particulate matter in excess of the amount set forth in this rule. The requirements of this section are superseded by the stricter emission limits established in the permit.

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. Montana Resources shall 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 permit application fee is paid to the Department. Montana Resources was not

- required to submit a permit application fee for the current permit amendment.
2. ARM 17.8.505, Air Quality Operation Fees. An 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; and the air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions which 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 alteration to construct, alter or use any air contaminant sources that have the Potential to Emit (PTE) greater than 25 tons per year of any pollutant. Montana Resources has the potential to emit more than 25 tons per year of Particulate (PM) and PM₁₀; 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. This rule requires that a permit application be submitted prior to installation, alteration or use of a source. Montana Resources was not required to submit an application for the current permit action because it is an administrative action.
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 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. A BACT review was not required for the current permit action because there are no new or

modified sources permitted as part of this action.

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 Montana Resources 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 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 altered 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. 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 does not have the potential to emit 250 tons per year or more of any air pollutant, excluding fugitive emissions.

- G. ARM 17.8, Subchapter 9 – Permit Requirements for Major Stationary Sources or Major Modifications Locating Within Nonattainment Areas, including, but not limited to:

The 1990 Clean Air Act Amendments require the application of RACM in moderate PM₁₀ nonattainment areas. RACM has been defined as RACT for existing PM₁₀ stack or point sources, process fugitive, and fugitive dust sources such as haul roads, open stockpiles, disturbed areas, tailings disposal areas, or unpaved staging areas (see "Guidance on Reasonably Available Control Requirements in Moderate PM₁₀ Nonattainment Areas"). The Department determined that a 20% opacity limitation for fugitive sources (5% for haul roads and access roads), application of NSPS emission limits to point sources, and a requirement for use of chemical stabilization on haul roads and access roads satisfies these requirements (see Section V, Permit #1749-05, RACM/RACT Analysis).

- H. 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), or PTE > 25 tons/year of a combination of any HAPs, or a lesser quantity as the Department may establish by rule;
 - c. PTE > 70 tons/year of PM₁₀ in a serious PM₁₀ nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. 1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #1749-12 for Montana Resources, 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 PM₁₀ nonattainment area.
 - d. This facility is not subject to any current NSPS.
 - e. This facility is not subject to any current NESHAP standards.
 - f. This source is not a Title IV affected source nor a solid waste combustion unit.
 - g. This source is not an EPA designated Title V source.

Based on these facts, the Department determined that Montana Resources is a minor source of emissions as defined under Title V.

III. Air Quality Impacts/Compliance with Ambient Standards

In support of previous permit actions, the Department used EPA-approved CMB models and analyses to demonstrate compliance with the ambient PM₁₀ standards by the year 1993 if Montana Resources' allowable emissions were limited and if control plans were applied to other sources. Complete results are contained in the Butte PM₁₀ SIP.

In addition, this permitting action will not result in an increase in Montana Resources' ambient impact or an increase in emissions from the facility. Therefore, the Department determined this permitting action will not cause or contribute to a violation of the ambient standards.

IV. Existing Air Quality/Ambient Monitoring Requirements

Butte is a secondary non-attainment area for TSP and a PM₁₀ Group I nonattainment area. The Department operates a PM₁₀ site in Butte at Greeley School. As of March 5, 2002, Montana Resources was no longer required to conduct ambient monitoring in the area. Current and historic ambient monitoring data is on file with the Department. If conditions warrant, Montana Resources may be required to resume ambient air monitoring in the future.

V. Taking or Damaging Implication Analysis

As required by 2-10-101 through 105, MCA, the Department conducted a private property taking and damaging assessment, and determined there are no taking or damaging implications.

VI. Environmental Assessment

This permit action is an administrative action; therefore, an Environmental Assessment is not required.

Analysis Prepared By: Pat Driscoll

Date: December 12, 2003