

AIR QUALITY PERMIT

Issued To: Hollow Contracting, Inc
404 Greenwood Ave.
Butte, Montana 59701

Permit: #2873-06
Application Complete: 05/08/07
Preliminary Determination Issued: 05/29/07
Department's Decision Issued: 06/14/07
Permit Final: 06/30/07
AFS #: 777-2873

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to Hollow Contracting, Inc. (Hollow) 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. Plant Location

Hollow operates a portable continuous flow drum mix asphalt plant in Section 25 (Tract 1), Township 3 North, Range 8 West, in Silver Bow County, Montana. MAQP #2873-06 applies while operating at any location in Montana, except within those areas having a Department of Environmental Quality (Department) approved permitting program and those areas considered tribal lands. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* MAQP #2873-06 and Addendum #5 applies while operating in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas (NAA) during the summer months (April 1 - September 30) and at sites approved by the Department during the winter months (October 1 - March 31). A complete list of permitted equipment is included in Section I.A of the permit analysis.

B. Current Permit Action

On May 8, 2007, Hollow submitted a complete MAQP application for a modification to MAQP #2873-05. Specifically, Hollow requested to replace the existing particulate matter (PM)/PM₁₀ control equipment (wet scrubber) with a baghouse. In addition, Hollow requested to increase the combined generating capacity of the facility from 650-kilowatts (kW) to 675-kW. The current permit action incorporates Hollow's requests into the MAQP and updates the permit format and language.

SECTION II: Conditions and Limitations

A. Emission Limitations

1. Asphalt plant particulate matter emissions shall be limited to 0.04 grains per dry standard cubic foot (gr/dscf) (ARM 17.8.340 ARM 17.8.752, and 40 CFR 60, Subpart I).
2. Hollow shall not cause or authorize to be discharged into the atmosphere from the asphalt plant, stack emissions that exhibit 20% opacity or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).
3. Hollow shall not cause or authorize to be discharged into the atmosphere from systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).

4. Hollow 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 and ARM 17.8.752).
5. Hollow shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation in Section II.A.4 (ARM 17.8.752).
6. A baghouse for air pollution control, with a device to measure the pressure drop (magnehelic gauge, manometer, etc.), must be installed and maintained on the asphalt drum. Pressure drop must be measured in inches of water. Temperature indicators at the control device inlet and outlet must be installed and maintained (ARM 17.8.752).
7. Hollow shall only use natural gas, propane, or fuel oil to fire the hot mix dryer (ARM 17.8.749).
8. Asphalt plant production shall be limited to 1,020,000 tons during any rolling 12-month time period (ARM 17.8.749).
9. Once a stack test is performed, the asphalt production rate shall be limited to the average production rate during the last source test demonstrating compliance (ARM 17.8.749).
10. Hollow shall not operate more than two diesel-fired generators at any given time and the combined maximum rated design capacity shall not exceed 675-kW (ARM 17.8.749).
11. The combined hours of operation of the two diesel-fired generators shall not exceed 6,800 hours during any rolling 12-month time period (ARM 17.8.749).
12. If the permitted equipment is used in conjunction with any other equipment owned or operated by Hollow, 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 time period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).
13. Hollow shall comply with all applicable standards and limitations, and the reporting, recordkeeping, and notification requirements contained in 40 CFR Part 60, Subpart I (ARM 17.8.340 and 40 CFR 60, Subpart I).
14. Hollow shall comply with all appropriate standards and limitations, and the reporting, recordkeeping, and notification requirements contained in 40 CFR Part 60, Subpart III, as applicable (ARM 17.8.340 and 40 CFR 60, Subpart III).

B. Testing Requirements

1. Within 60 days after achieving maximum production (after baghouse installation), but not later than 180 days after initial start-up (after baghouse installation), an Environmental Protection Agency (EPA) Methods 1-5 source test shall be performed on the asphalt plant to demonstrate compliance with Section II.A.1. In addition, an EPA Method 9 opacity test must be performed in conjunction with all particulate tests to demonstrate compliance with the conditions specified in Section II.A.2 (ARM 17.8.106 and ARM 17.8.749).

2. Additional EPA Methods 1-5 and 9 source tests must be performed on the asphalt plant on an every 4-year basis from the initial source test date, or according to another testing/monitoring schedule as may be approved by the Department, in order to demonstrate compliance with the conditions in Sections II.A.1 and II.A.2 (ARM 17.8.106 and ARM 17.8.749).
3. Pressure drop on the control device and temperatures must be recorded during the compliance source test and reported as part of the test results (ARM 17.8.749).
4. Hollow may retest at any time in order to test at a higher production rate (ARM 17.8.749).
5. All compliance source tests must be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
6. Since asphalt production will be limited to the average production rate during the compliance source test, it is suggested that the test be performed at the highest production rate practical (ARM 17.8.749).
7. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this asphalt plant is moved to another location, an intent to transfer form must be sent to the Department. In addition, 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 intent to transfer form and 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 17.8.765).
2. Hollow shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but not be limited to, all sources of emissions identified in the emission inventory contained in the permit analysis.

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

3. Hollow shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745, 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 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. Hollow 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 Hollow as a permanent business record for at least 5 years following the date of the measurement, must be available at the plant site for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).
5. Hollow shall document, by month, the asphalt production from the facility. By the 25th day of each month, Hollow shall calculate the asphalt production from the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.8. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
6. Hollow shall document, by month, the combined hours of operation of the diesel generators. By the 25th day of each month, Hollow shall calculate the combined hours of operation of the generators for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.11. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

D. Notification

Hollow shall notify the Department, in writing, of the installation date of the baghouse within 15 days after the actual installation date (ARM 17.8.749).

SECTION III: Addendum

Hollow shall comply with all conditions in Addendum #5 to MAQP #2873-06, as applicable (ARM 17.8.749)

SECTION IV: General Conditions

- A. Inspection – Hollow 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 or observing any monitoring or testing (i.e. CEMS, CERMS), and otherwise conducting all necessary functions related to this MAQP.
- B. Waiver – The MAQP and all the terms, conditions, and matters stated herein shall be deemed accepted if Hollow fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this MAQP shall be construed as relieving Hollow 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 MAQP revocation, penalties or other enforcement as specified in Section 75-2-401, *et seq.*, MCA.
- E. Appeals – Any person or persons jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department's decision,

unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on an MAQP 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. MAQP Inspection – As required by ARM 17.8.755, Inspection of Permit, a copy of the MAQP shall be made available for inspection by Department personnel at the location of the permitted source.
- G. MAQP Fee – Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by Hollow may be grounds for revocation of this MAQP, as required by that section and rules adopted thereunder by the Board.
- H. Construction Commencement – Construction must be begin within 3 years of MAQP issuance and proceed with due diligence until the project is complete or the MAQP shall be revoked (ARM 17.8.762).
- I. The Department may modify the conditions of this MAQP 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. Hollow shall comply with the conditions contained in this MAQP while operating in any location in Montana, except within those areas that have a Department-approved permitting program.

Permit Analysis
Hollow Contracting, Inc.
Permit #2873-06

I. Introduction/Process Description

A. Permitted Equipment

Hollow Contracting, Inc. (Hollow) owns and operates a portable 1983 Cedar Rapids continuous flow drum mix asphalt plant with a 1990 Cedar Rapids baghouse to control particulate matter (PM)/particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) emissions, a 1983 Cedar Rapids screen conveyor, a 1983 CMI portable slat conveyor, a diesel generator up to 600-kilowatt (kW), a diesel generator up to 75-kW, and associated equipment.

B. Source Description

Hollow will use the portable asphalt plant, screen conveyor, slat conveyor, and associated equipment to produce asphalt for use in construction, repair, and maintenance of roads and highways. The asphalt production process begins with virgin aggregate and sand material loaded into a feeder, which is continuously conveyed from the feeder to the drum dryer. In the drum dryer, the aggregate is heated and mixed with a specific amount of hot asphalt product to produce a specific grade of asphalt. After the mixing has occurred in the drum dryer, it is conveyed to an unheated storage silo and loaded into trucks for delivery to the site. Particulate emissions from the drum dryer are controlled with a baghouse.

C. Permit History

On April 24, 1995, Montana Materials L.L.C. submitted a complete Montana Air Quality Permit (MAQP) application to operate a portable 1983 Cedar Rapids continuous flow drum mix asphalt plant, portable 1983 Cedar Rapids screen conveyor, portable 1983 CMI slat conveyor, and associated equipment. On June 24, 1995, Montana Materials, L.L.C. was issued final **MAQP #2873-00** to operate the continuous flow hot mix asphalt plant and associated equipment.

On May 21, 1998, Montana Materials, L.L.C. submitted a request for an administrative amendment to MAQP #2873-00 to reflect a name change to Hollow. In addition to the name change, the permit amendment included a rule reference update. On June 18, 1998, **MAQP #2873-01** replaced MAQP #2873-00.

On April 8, 1999, Hollow requested a modification to allow for summer operation (April 1, 1999, through September 30, 1999) within the Butte area in or within 10 kilometers (km) of the Butte PM₁₀ nonattainment area (NAA) at Section 25 (Tract 1), Township 3 North, Range 8 West, in Silver Bow County, Montana. In addition, the MAQP action allowed the facility to operate in or within 10 km of the following PM₁₀ NAA's during the summer months: Libby, Kalispell, Columbia Falls, Whitefish, and Thompson Falls. On April 24, 1999, **MAQP #2873-02** replaced MAQP #2873-01 and **Addendum #1** was attached to the MAQP.

On May 31, 2000, Hollow requested a modification to allow for summer operation (April 1, 2000, through September 30, 2000) within the Butte PM₁₀ NAA. Hollow planned to initially locate at Section 25 (Tract 1), Township 3 North, and Range 8 West, in Silver Bow County, Montana. In addition to the Butte NAA, the current permit action allowed the facility to operate in or within 10 km of the following PM₁₀ NAA's during the summer

months: Libby, Kalispell, Columbia Falls, Whitefish, and Thompson Falls. On July 16, 2000, **MAQP #2873-03** replaced MAQP #2873-02 and **Addendum #2** replaced Addendum #1.

On March 26, 2002, Hollow submitted a complete MAQP application to the Department of Environmental Quality (Department) to replace the portable 350-kW diesel generator with a 600-kW Cat portable diesel generator and 50-kW Ingersol Rand portable diesel generator. The new equipment provided power to the asphalt plant, conveyors, and associated equipment. In addition, the 1983 Cedar Rapids Venturi scrubber was replaced with a 1990 Cedar Rapids baghouse. The addendum was also updated to reflect the change in equipment at the facility. **MAQP #2873-04** replaced MAQP #2873-03 and **Addendum #3** replaced Addendum #2.

On October 25, 2005, Hollow requested an administrative amendment to replace the baghouse with a wet scrubber and on November 29, 2005, Hollow requested an addendum to allow operation near the Butte PM₁₀ nonattainment area. In addition, MAQP #2873-05 was updated to reflect the current permit language and rule references used by the Department. On November 1, 2006, **MAQP #2873-05** replaced MAQP #2873-04 and **Addendum #4** replaced Addendum #3.

D. Current Permit Action

On April 19, 2007, Hollow submitted a MAQP application for a modification to MAQP #2873-05. Specifically, Hollow requested to replace the existing particulate matter/PM₁₀ control equipment (wet scrubber) with a baghouse. In addition, Hollow requested to increase the combined generating capacity of the facility from 650-kW to 675-kW. The application was deemed complete on May 8, 2007, upon Hollow's submittal of an affidavit of publication of public notice. The current permit action incorporates Hollow's requests into the MAQP, updates the permit format and language, and updates the addendum. **MAQP #2873-06** replaces MAQP #2873-05 and **Addendum #5** replaces Addendum #4.

E. Additional Information

Additional information, such as applicable rules and regulations, Best Available Control Technology (BACT)/Reasonably 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 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. Upon request, the Department will provide references for location of complete copies of all applicable rules and regulations or copies where appropriate.

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

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

3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

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

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

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

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM₁₀

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

4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.
 5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. Commencing July 1, 1971, no person shall burn any gaseous fuel containing sulfur compounds in excess of 50 grains per 100 cubic feet of gaseous fuel, calculated as hydrogen sulfide at standard conditions.
 6. ARM 17.8.324 Hydrocarbon Emissions--Petroleum Products. (3) No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank truck or trailer is equipped with a vapor loss control device as described in (1) of this rule.
 7. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR 60, Standards of Performance for New Stationary Sources (NSPS). Hollow is considered an NSPS affected facility under 40 CFR 60 and is subject to the requirements of Subpart I and is potentially subject to the requirements of Subpart III.
- 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 MAQP application fee concurrent with the submittal of an MAQP application. An MAQP application is incomplete until the proper application fee is paid to the Department. Hollow submitted the appropriate MAQP application fee for the current MAQP 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 MAQP, excluding an open burning permit, issued by the Department; the air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an MAQP 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 MAQP 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 MAQP or MAQP modification to construct, alter, or use any asphalt plant, crusher or screen that has the potential to emit (PTE) greater than 15 tons per year of any pollutant. Hollow has a PTE greater than 15 tons per year of particulate matter, PM₁₀, nitrogen oxide (NO_x), volatile organic carbon (VOC), carbon monoxide (CO), and sulfur oxides (SO_x); 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 MAQP 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 an MAQP under the MAQP Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements.
(1) This rule requires that an MAQP application be submitted prior to installation, alteration, or use of a source. Hollow submitted the required MAQP application for the current MAQP 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 an MAQP. Hollow submitted an affidavit of publication of public notice for the April 20, 2007, issue of the *Montana Standard*, a newspaper of general circulation in the Town of Butte in Silver Bow 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 MAQPs issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the MAQP and the requirements of this subchapter. This rule also requires that the MAQP 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 MAQP analysis.
8. ARM 17.8.755 Inspection of Permit. This rule requires that MAQPs 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 MAQP shall be construed as relieving Hollow 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 MAQP applications and making MAQP decisions on those MAQP applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An MAQP shall be valid until revoked or modified, as provided in this subchapter, except that an MAQP issued prior to construction of a new or altered source may contain a condition providing that the MAQP will expire unless construction is commenced within the time specified in the MAQP, which in no event may be less than one year after the MAQP is issued.
12. ARM 17.8.763 Revocation of Permit. An MAQP 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 MAQP 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 MAQP limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring an MAQP, or unless the owner or operator applies for and receives another MAQP 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 MAQP may be transferred from one person to another if written notice of intent to transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Subchapter 8 - Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modification--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the FCAA that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source since it is not a listed source and the facility's PTE is less than 250 tons per year of any pollutant (excluding fugitive emissions).

G. ARM 17.8, Subchapter 12 – Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
 - a. PTE > 100 tons per year of any pollutant;
 - b. PTE > 10 tons per year of any one hazardous air pollutant (HAP), PTE greater than 25 tons per year of a combination of all HAPs, or lesser quantity as the Department may establish by rule; or
 - c. PTE > 70 tons per 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 MAQP #2873-06 for Hollow, the following conclusions were made:
 - a. The facility's PTE is less than 100 tons per year of any pollutant;

- b. The facility's PTE is less than 10 tons per year for any one HAP and less than 25 tons per 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 neither a Title IV affected source nor a solid waste combustion unit; and
- g. This source is not an EPA designated Title V source.

Based on these facts, the Department determined that Hollow will be a minor source of emissions and is exempt from obtaining a Title V Operating Permit. However, in the event that the EPA makes minor sources that are subject to NSPS obtain a Title V Operating Permit, Hollow will be required to apply for and receive a Title V Operating Permit.

III. BACT Determination

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

Hollow proposed to control particulate emissions from the hot-mix asphalt plant with a baghouse. All visible emissions from the asphalt plant including systems for handling, storing, and weighing hot aggregate, systems for loading, transferring, and storing mineral filler, systems for mixing hot-mix asphalt, and the loading, transfer, and storage systems associated with emission control systems are limited to 20% opacity.

In addition, all asphalt particulate emissions are limited to 0.04 grains per dry standard cubic foot (gr/dscf). Further, Hollow must take reasonable precautions to limit the fugitive emissions of airborne particulate matter on haul roads, access roads, parking lots, and the general plant area. Reasonable precautions include treating all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant, as necessary. Operating and maintaining a baghouse to meet the corresponding emission limitations in Section I.A of the permit and using water and/or chemical dust suppressant to comply with the reasonable precautions limitation will constitute BACT for the Hollow facility.

The control options required are similar to other recently permitted similar sources and are capable of achieving the appropriate emission standards.

IV. Emission Inventory

Source	Tons/Year					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
1983 Cedar Rapids Asphalt Plant w/Baghouse	11.40	9.12	28.05	16.32	66.30	29.58
Elevator, Screens, Bins, and Mixer	19.13	15.30	0.0	0.0	0.0	0.0
Cold Aggregate Handling	25.50	20.40	0.0	0.0	0.0	0.0
Diesel Generator (up to 600 kW)	3.01	3.01	42.40	3.38	9.14	1.09
Diesel Generator (up to 75 kW)	0.38	0.38	5.30	0.42	1.14	0.14
Haul Roads	2.74	1.23	0.0	0.0	0.0	0.0
Total	62.15	49.43	75.75	20.12	76.58	30.81
* A complete emission inventory for MAQP #2873-06 is on file with the Department.						
** 3,400 hrs/yr limits PM ₁₀ emissions less than modeling threshold (50 tons/year)						

V. Air Quality Impacts

MAQP #2873-06 will cover the operations of this portable drum mix asphalt plant while operating in those areas within Montana classified as being in attainment with federal ambient air quality standards, and those areas still undefined (not yet classified). Additionally, MAQP #2873-06 and Addendum #5 will cover the asphalt plant operations during the summer months (April 1 - September 30) in or within 10 km of certain PM₁₀ nonattainment areas and during the winter months at the current approved wintertime location at Section 25 (Tract 1), Township 3 North, and Range 8 West, in Silver Bow County, Montana. Any other wintertime location must be approved in writing by the Department. Based on the information provided, the amount of controlled emissions generated by this facility will not exceed any set ambient air quality standard for operations in these areas. This facility is a portable source that will operate on an intermittent and temporary basis at a given location, so any impacts to air quality will be minor and short-lived.

VI. Ambient Air Impact Analysis

This permit is for a portable drum mix asphalt plant to be located at various locations within Montana. MAQP #2873-06 and Addendum #5 contains operational conditions and limitations that will protect air quality for any given site and the surrounding area(s). Also, this facility is a portable source that will operate on an intermittent and temporary basis, so any effects to air quality will be minor and short-lived. Further, the amount of controlled particulate emissions generated by this project will not cause concentrations of PM₁₀ in the ambient air that exceed the set standard. In addition, this source is portable and any air quality impacts will be minor.

Addendum #5
Hollow Contracting, Inc.
Permit #2873-06

An addendum to Montana Air Quality Permit (MAQP) #2873-06 is issued to Hollow Contracting, Inc. (Hollow) pursuant to Section 75-2-204 and 75-2-211 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

Hollow owns and operates a portable 1983 Cedar Rapids continuous flow drum mix asphalt plant with a 1990 Cedar Rapids baghouse to control particulate matter (PM)/particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) emissions, a 1983 Cedar Rapids screen conveyor, a 1983 CMI portable slat conveyor, a diesel generator up to 600-kilowatt (kW), a diesel generator up to 75-kW, and associated equipment.

II. Seasonal and Site Restrictions

MAQP #2873-06 and Addendum #5 applies to Hollow while operating at any location in or within 10 km of certain PM₁₀ nonattainment areas (NAA). Additionally, seasonal and site restrictions apply to the facility as follows:

- A. During the winter season (October 1-March 31) - The only location(s) in or within 10 kilometers (km) of certain PM₁₀ NAA's where Hollow may operate is:
- Section 25 (Tract 1), Township 3 North, and Range 8 West, in Silver Bow County, Montana
 - 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) - Hollow may operate at any location in or within 10 km of certain PM₁₀ NAA's, including, but not limited to: Butte, Columbia Falls, Kalispell, Libby, Thompson Falls, and Whitefish.
- C. Hollow shall comply with the limitations and conditions contained in MAQP #2873-06 and Addendum #5 while operating in or within 10 km of any of the previously listed PM₁₀ nonattainment areas. Addendum #5 shall be valid until revoked or modified. The Department reserves the authority to modify Addendum #5 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 Limitation and Conditions – **Winter Season (October 1 – March 31)**
1. Asphalt plant particulate matter emissions shall be limited to 0.04 grains per dry standard cubic feet (gr/dscf) (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).
 2. All visible emissions from the asphalt plant stack shall not exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).
 3. Hollow shall not cause or authorize to be discharged into the atmosphere from any equipment, such as systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; and the loading, transfer, and storage

systems associated with emission control systems, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).

4. Hollow shall not cause or authorize to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant area, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).
5. Hollow shall treat all unpaved portions of the haul roads, 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 contained in Section III.A.4 (ARM 17.8.749).
6. Asphalt plant production shall be limited to 545 tons per calendar-day (ARM 17.8.749).
7. The combined hours of operation of the two diesel fired generators shall not exceed 5 hours per calendar-day (ARM 17.8.749).

B. Operational Limitation and Conditions – Summer Season (April 1 – September 30)

1. Asphalt plant particulate matter emissions shall be limited to 0.04 gr/dscf (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).
2. All visible emissions from the asphalt plant stack shall not exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).
3. Hollow shall not cause or authorize to be discharged into the atmosphere from any equipment, such as systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).
4. Hollow shall not cause or authorize to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant area, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).
5. Hollow shall treat all unpaved portions of the haul roads, 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 contained in Section III.B.4 (ARM 17.8.749).
6. Asphalt plant production shall be limited to 2,796 tons per calendar-day (ARM 17.8.749).
7. The combined hours of operation of the two diesel fired generators shall not exceed 6,800 hours during any rolling 12-month time period (ARM 17.8.749).

C. Operational Reporting Requirements

1. Hollow shall provide the Department with written notification of job completion within 10 working days of job completion (ARM 17.8.749).
2. Hollow shall provide written notice of relocation of the permitted equipment at least 15 days prior to the physical transfer of equipment (ARM 17.8.765).
3. Production information for the sites covered by this addendum must be submitted to the Department with the annual emission inventory request or within 30 days of completion of the project. The information must include the following (ARM 17.8.749):
 - a. Tons of asphalt produced at each site;
 - b. Hours of operation at each site;
 - c. Type and amount of fuel used for the asphalt plant (hot mix dryer);
 - d. Gallons of diesel fuel used for generators at each site;
 - e. Fugitive dust information consisting of a listing of all plant vehicles including the following for each vehicle type:
 - i. Number of vehicles
 - ii. Vehicle type
 - iii. Vehicle weight, loaded
 - iv. Vehicle weight, unloaded
 - v. Number of tires on vehicle
 - vi. Average trip length
 - vii. Number of trips per day per vehicle
 - viii. Average vehicle speed
 - ix. Area of activity
 - x. Vehicle fuel usage (gasoline or diesel) annual total
 - f. Fugitive dust control for haul roads and the general plant area:
 - i. Hours of operation of water trucks
 - ii. Application schedule for chemical dust suppressant, if applicable
4. Hollow shall document, by day, the total asphalt plant production during the winter season to verify compliance with the limitations in Section III.A.6. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted along with the annual emission inventory (ARM 17.8.749).
5. Hollow shall document, by day, the combined hours of operations of the diesel generators during the winter season to verify compliance with the limitations in Section III.A.7. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted along with the annual emission inventory (ARM 17.8.749).

6. Hollow shall document, by day, the total asphalt plant production during the summer season to verify compliance with the limitations in Section III.B.6. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted along with the annual emission inventory (ARM 17.8.749).
7. Hollow shall document, by day, the combined hours of operation of the diesel generators. By the 25th day of each month, Hollow shall calculate the combined hours of operation of the generators for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section III.B.7. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

Addendum #5 Analysis
Hollow Contracting, Inc.
Permit #2873-05

I. Permitted Equipment

Hollow Contracting, Inc. (Hollow) owns and operates a portable 1983 Cedar Rapids continuous flow drum mix asphalt plant with a 1990 Cedar Rapids baghouse to control particulate matter (PM)/particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) emissions, a 1983 Cedar Rapids screen conveyor, a 1983 CMI portable slat conveyor, a diesel generator up to 600-kilowatt (kW), a diesel generator up to 75-kW, and associated equipment.

II. Source Description

Hollow will use the portable asphalt plant, screen conveyor, slat conveyor, and associated equipment to produce asphalt for use in construction, repair, and maintenance of roads and highways. The asphalt production process begins with virgin aggregate and sand material loaded into a feeder, which is continuously conveyed from the feeder to the drum dryer. In the drum dryer, the aggregate is heated and mixed with a specific amount of hot asphalt product to produce a specific grade of asphalt. After the mixing has occurred in the drum dryer, it is conveyed to an unheated storage silo and loaded into trucks for delivery to the site. Particulate emissions from the drum dryer are controlled with a baghouse.

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 Montana Air Quality Permits (MAQP) issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the MAQP and the requirements of this subchapter. This rule also requires that the MAQP 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 of Permit. An MAQP 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 MAQP limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring an MAQP, or unless the owner or operator applies for and receives another MAQP 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.

- C. 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 one 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 MAQP 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.

Hollow shall submit proof of compliance with the transfer and public notice requirements when Hollow transfers to any of the locations covered by this addendum and will only be allowed to stay in the new location for a period of less than 1 year. Also, the conditions and controls of this Addendum will prevent Hollow from having a significant impact on the PM₁₀ nonattainment areas covered by this MAQP.

IV. Emission Inventory

Winter Season-Emission Inventory

Source	Lb/day					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
1983 Cedar Rapids Asphalt Plant w/Wet Scrubber	33.52	26.81	29.98	17.44	70.85	31.61
Elevator, Screens, Bins, and Mixer	20.44	16.35	0.0	0.0	0.0	0.0
Cold Aggregate Handling	27.25	21.80	0.0	0.0	0.0	0.0
Diesel Generator (up to 600 KW)	8.85	8.85	124.71	9.94	26.87	3.22
Diesel Generator (up to 75 KW)	1.11	1.11	15.59	1.24	3.36	0.40
Haul Roads	15.00	6.75	0.0	0.0	0.0	0.0
Total	106.16	81.67	170.28	28.62	101.08	35.23
*A complete emission inventory for Addendum #5 (winter) is on file with the Department						
**Production limit = 109 ton/hr * 5 hr/day = 545 ton/day (established to limit PM ₁₀ emissions less than 82 lb/day (modeling guidance))						

Summer Season-Emission Inventory

Source	Lb/day					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
1983 Cedar Rapids Asphalt Plant w/Wet Scrubber	62.44	49.95	153.70	89.42	363.29	162.08
Elevator, Screens, Bins, and Mixer	104.79	83.84	0.0	0.0	0.0	0.0
Cold Aggregate Handling	139.73	111.78	0.0	0.0	0.0	0.0
Diesel Generator (up to 600 KW)	42.48	42.48	232.34	18.51	50.07	6.00
Diesel Generator (up to 75 KW)	5.31	5.31	29.04	2.31	6.26	0.75
Haul Roads	15.00	6.75	0.0	0.0	0.0	0.0
Total	369.76	300.11	415.08	110.25	419.61	168.83
*A complete emission inventory for Addendum #5 (winter) is on file with the Department						
** Production limit = 300 ton/hr * 9.32 hr/day = 2,796 ton/day (established to limit PM ₁₀ emissions less than 50 ton/yr (modeling threshold))						
***PM/PM10 emissions from generators based on 24 hr/day to evaluate limiting the generators to 3400 hr/yr rather than 9.32 hr/day						

V. Existing Air Quality

On July 1, 1987, the Environmental Protection Agency (EPA) promulgated new National Ambient Air Quality Standards (NAAQS) for PM₁₀. Due to exceedances of the NAAQS for PM₁₀, the cities of Kalispell (and the nearby Evergreen area), Columbia Falls, Butte, Whitefish, Libby, Missoula, and Thompson Falls were designated by EPA as nonattainment for PM₁₀. As a result of this designation, EPA required the Department and the City-County Health Departments to submit PM₁₀ State Implementation Plans (SIPs). The SIPs consisted of emission control plans that controlled fugitive dust emissions from roads, parking lots, construction, and demolition, since technical studies determined these sources to be the major contributors to PM₁₀ emissions.

MAQP #2873-06 and Addendum #5 to MAQP #2873-06 sets conditions and limitations that allow for this asphalt plant to be located in or within 10 kilometers (km) of certain PM₁₀ nonattainment areas during the summer months (April through September) and the winter months (October through March). Summertime operations may include areas in or within 10 km of certain PM₁₀ nonattainment areas, including, but not limited to, Butte, Columbia Falls, Kalispell, Libby, Thompson Falls, and Whitefish. The current approved wintertime location is Section 25 (Tract 1), Township 3 North, and Range 8 West, in Silver Bow County, Montana. Any other wintertime location must be approved in writing by the Department.

VI. Air Quality Impacts

MAQP #2873-06 will cover the operations of this portable drum mix asphalt plant while operating in those areas within Montana classified as being in attainment with federal ambient air quality standards, and those areas still undefined (not yet classified). Additionally, MAQP #2873-06 and Addendum #5 will cover the asphalt plant operations during the summer months (April 1 - September 30) in or within 10 km of certain PM₁₀ nonattainment areas and during the winter months at the current approved wintertime location at Section 25 (Tract 1), Township 3 North, and Range 8 West, in Silver Bow County, Montana. Any other wintertime location must be approved in writing by the Department. Based on the information provided, the amount of controlled emissions generated by this facility will not exceed any set ambient air quality standard for operations in these areas. This facility is a portable source that will operate on an intermittent and temporary basis at a given location, so any impacts to air quality will be minor and short-lived.

VII. Taking or Damaging Implication Analysis

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

VII. Environmental Assessment

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

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

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Hollow Contracting, Inc.
404 Greenwood Ave.
Butte, Montana 59701

Air Quality Permit number: 2873-06

Preliminary Determination Issued: May 29, 2007

Department Decision Issued: June 14, 2007

Permit Final: June 30, 2007

1. *Legal Description of Site:* MAQP #2873-06 would apply while operating at any location in Montana, except within those areas having a Department approved permitting program or those areas considered tribal lands. MAQP #2873-06 and Addendum #5 allow Hollow to operate in or within 10 km of certain PM₁₀ nonattainment areas. A Missoula County air quality permit would be required for locations within Missoula County, Montana.
2. *Description of Project:* The project would include allowing Hollow to control PM/PM10 emissions with a baghouse rather than a wet scrubber, increasing the maximum generating capacity from 650-kW to 675-kW, and allowing the use of alternative fuels (propane, natural gas, and fuel oils) to supply the burner for the drum-mix asphalt plant.
3. *Objectives of Project:* The object of the project would be to operate the business in a cost effective manner to provide revenue for the company by the sale and use of asphalt. The issuance of MAQP #2873-06 and Addendum #5 would allow Hollow to operate the permitted equipment at various locations throughout Montana.
4. *Alternatives Considered:* In addition to the proposed action, the Department also considered the “no-action” alternative. The “no-action” alternative would deny issuance of the air quality preconstruction permit to the proposed facility. However, the Department does not consider the “no-action” alternative to be appropriate because Hollow has demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the “no-action” alternative was eliminated from further consideration.
5. *A Listing of Mitigation, Stipulations, and Other Controls:* A list of enforceable conditions, including a BACT analysis, would be included in MAQP #2873-06.
6. *Regulatory Effects on Private Property:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.

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

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

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

A. Terrestrial and Aquatic Life and Habitats

Terrestrials would use the same area as the asphalt plant operation. The asphalt plant operation would be considered a minor source of emissions (by industrial standards) with intermittent and seasonal operations. Facility operations would take place on an intermittent and seasonal basis, as to protect water resources (see Section 8.B for additional details). Berms would be used for sight and sound barriers, would be placed between the equipment and property boundaries, and would be vegetated to create an additional barrier between equipment operations and surrounding resources outside the pit site. Therefore, only minor effects on terrestrial life and aquatic life would be expected as a result of the proposed changes of equipment operations or from pollutant deposition.

B. Water Quality, Quantity and Distribution

Water would be used for dust suppression on the surrounding roadways and areas of operation and for pollution control for equipment operations. However, water use would only cause minor impacts upon water quality, quantity, and distribution at the site because the equipment would only have seasonal and intermittent operations, only relatively small amounts of water would be needed for pollution control, and water would be readily available at the site.

Overall, any impacts to the above-cited physical and biological resource of the human environment of the project area would be minor because the proposed modification to the asphalt plant would typically operate within areas designated for such operations and the proposed new equipment would result in similar impacts to those impacts created by the existing equipment. Therefore, the overall industrial nature of the area would not change as a result of the proposed project and any associated impacts would be minor.

C. Geology and Soil Quality, Stability and Moisture

The proposed modification of the existing asphalt plant operation would have only minor impacts on soils in any proposed site location (due to the use of alternate fuels and additional generator capacity) because the facility would remain a relatively small industrial operation, would continue to use only relatively small amounts of water for pollution control, and would only have seasonal and intermittent operations. Therefore, any impacts from the proposed new asphalt plant to geology and soil quality, stability, and moisture at any proposed operational site would be minor.

Overall, any impacts to the above-cited physical and biological resource of the human environment of any given project area would be minor because the operation of the asphalt plant with the proposed modifications would typically be within areas designated for such operations and the proposed new equipment would result in similar impacts to those impacts created by the existing equipment. Therefore, the overall industrial nature of the area would not change as a result of the proposed project and any associated impacts would be minor.

D. Vegetation Cover, Quantity, and Quality

Because the modified facility would remain a minor source of emissions, by industrial standards, and would typically operate in areas previously designated and used for non-metallic mineral processing operations, impacts from the emissions from the asphalt plant would be minor and typical. As described in Section 8.F of this EA, the amount of air emissions generated from the modified facility would be minor. As a result, the corresponding deposition of the air pollutants on the surrounding vegetation would also be minor. Also, because water use for pollution control would be minimal, as described in Section 8.B, and the associated soil disturbance from modified operations would be minimal, as described in Section 8.C, corresponding vegetative impacts would be minor.

Overall, any impacts to the above-cited physical and biological resource of the human environment of any given project area would be minor because the operation of the asphalt plant with the proposed modifications would typically be within areas designated for such operations and the proposed new equipment would result in similar impacts to those impacts created by the existing equipment. Therefore, the overall industrial nature of the area would not change as a result of the proposed project and any associated impacts would be minor.

E. Aesthetics

The asphalt plant operation would be visible and would create additional noise in the area. MAQP #2873-06 and Addendum #5 would include conditions to control emissions, including visible emissions, from the plant. The asphalt plant operations would have a minor amount of emissions, would be portable, would have seasonal and intermittent operations, and would locate within a rather large open cut pit. Therefore, any visual and noise impacts would be minor.

F. Air Quality

The air quality impacts from the proposed changes would be minor because MAQP #2873-06 and Addendum #5 would include conditions limiting the opacity from the plant, as well as requiring a baghouse and other means to control air pollution. Additionally, the facility is considered a minor source of air pollution by industrial standards and would be located in an area where good air pollutant dispersion would occur. Therefore, the air impacts would be minor.

The operations would be limited, by MAQP #2873-06, to total emissions of 250 tons per year or less of any regulated pollutant from non-fugitive sources at the plant, including any additional equipment operated at the site. Furthermore, the facility emissions would be subject to BACT. For example, the plant would be required to use water to reduce emissions from equipment operations, storage piles, and haul roads. Also, the operation would have temporary and intermittent use, thereby further reducing potential air quality impacts from the facility. Therefore, air quality impacts would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

Emissions from the proposed changes may impact unique, endangered, fragile, or limited environmental resources located in a given proposed project area. However, as detailed in Section V of the permit analysis, any emissions and resulting impacts from the project would be minor due to the low concentration of those pollutants emitted.

MAQP #2873-06 would regulate the proposed modified asphalt facility while located at various locations throughout the state. Most operations would take place within existing and previously disturbed industrial sites thereby resulting in only minor impacts to the industrial area. Further, given the temporary and portable nature of the operations, any impacts would be minor and short-lived. In addition, operational conditions and limitations in MAQP #2873-06 would be protective of these resources by limiting overall impacts to the surrounding environment.

Overall, any impacts to the above-cited physical and biological resource of the human environment of any given project area would be minor because the asphalt plant would result in similar impacts to those impacts created by the existing equipment. Therefore, the overall industrial nature of the area would not change as a result of the proposed project and any associated impacts would be minor.

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

Due to the size of the facility, the asphalt plant operation would only require small quantities of water, air, and energy for proper operation. Small quantities of water would be used for dust suppression and would control fugitive emissions being generated at the site. Energy requirements would also be small because the facility is small by industrial standards and would be powered by two industrial diesel generators, with seasonal and intermittent operations. In addition, impacts to air resources would be minor because the source is small by industrial standards, with intermittent and seasonal operations, and because air pollutants generated by the facility would be widely dispersed. Furthermore, the particulate emissions would be controlled. Therefore, any impacts to water, air, and energy resources would be minor.

I. Historical and Archaeological Sites

Typically, the asphalt plant would operate within a previously disturbed site used for similar operations. According to past correspondence from the Montana Historical Society, State Historic Preservation Office (SHPO), there would be a low likelihood of disturbance to any known archaeological or historical site given any previous industrial disturbance in any given area of operation. Therefore, it is unlikely that the proposed asphalt plant would impact any historical or archaeological sites in a given area of operation.

J. Cumulative and Secondary Impacts

The asphalt plant operation would cause minor cumulative and secondary impacts to the physical and biological aspects of the human environment because the facility would have seasonal and intermittent use and because the facility is considered a minor source of air

pollutants by industrial standards. The modified facility would also have additional restrictions while operating in or within 10 km of certain PM₁₀ nonattainment areas, which would further control pollutant emissions. The facility would generate emissions of PM, PM₁₀, NO_x, VOC, CO, and SO_x. Noise would also be generated from the site. Emissions and noise would cause minor disturbance at any operational site due to the seasonal and intermittent operations. Additionally, this facility, in combination with the other emissions from the site would not be permitted to exceed 250 tons per year of non-fugitive emissions.

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

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

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

A. Social Structures and Mores

The asphalt plant operation would cause no disruption to the social structures and mores in the area because the facility is a minor source of emissions and, would initially and typically operate in an existing industrial site for such purposes, and would operate on a temporary and intermittent basis. Further, the proposed asphalt plant would be required to operate according to the limits and conditions that would be included in MAQP #2873-06, which would limit any impacts to social structures and mores.

B. Cultural Uniqueness and Diversity

The cultural uniqueness and diversity of the area would not be impacted by the proposed asphalt plant operation because the site would be separated from the general population. Additionally, the facility would be considered a portable/temporary source with seasonal and intermittent operations. Also, the predominant use of the surrounding area would not change as a result of this project.

C. Local and State Tax Base and Tax Revenue

The proposed changes to the asphalt plant operation would have little, if any, impact on the local and state tax base and tax revenue because the facility would be a temporary source and small by industrial standards. The facility would require the use of only a few employees and

little or no additional employment to accommodate the proposed changes in operations. Thus, only minor impacts to the local and state tax base and revenue could be expected from the employees and facility production. Furthermore, the impacts to local tax base and revenue would be expected to be minor because the source would be portable and the money generated for taxes would be widespread.

D. Agricultural or Industrial Production

The proposed changes to the asphalt plant operation would have only a minor impact on local industrial production since the facility is small by industrial standards and would locate in an industrial use area. Because of the seasonal and intermittent use of the equipment and the staged use of the proposed project site, only minor and temporary effects to the existing agricultural land would be expected to occur. As described in Section 8.D, impacts to vegetation would be minimal. Also, pollution control would be utilized on equipment operations and corresponding operational limits would be established (including those in Addendum #5) to protect the environment. Therefore, any effects upon agricultural or industrial production would be minor and short-lived.

E. Human Health

MAQP #2873-06 and Addendum #5 would incorporate conditions to ensure that the asphalt plant would be operated 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 8.F., the air emissions from this facility would be minimized by the use of a baghouse and emission limits established in MAQP #2873-06 and Addendum #5. Therefore, only minor impacts would be expected upon human health from the proposed asphalt plant.

F. Access to and Quality of Recreational and Wilderness Activities

Noise from the proposed facility would be minor because the asphalt plant operation would remain small by industrial standards and would operate in areas typically used for such operations. As a result, the amount of noise generated from the proposed change in operations would be minimal and typical for the area. Also, the facility would operate on a seasonal and intermittent basis. Therefore, any impacts to the quality of recreational and wilderness activities created by the proposed new equipment operating with the existing asphalt plant would be minor and short-lived.

G. Quantity and Distribution of Employment

H. Distribution of Population

The asphalt plant operation would require only a few existing employees for normal operations and operations would be conducted on a seasonal and intermittent basis thereby resulting in little, if any, permanent immigration into or emigration out of a given area of operation. Therefore the proposed modification of the existing asphalt plant operations would not impact the above-cited economic and social resources of the human environment of any given project area.

I. Demands for Government Services

Minor increases would be seen in traffic on existing roadways in the area while the asphalt plant operations are in progress. In addition, government services would be required for acquiring the appropriate permits from government agencies. Demands for government services would be minor.

J. Industrial and Commercial Activity

The proposed changes to the asphalt plant operations would represent only a minor increase in the industrial activity in any given area because of the size of the operations (relatively small by industrial standards) and the portable and temporary nature of the facility. No additional industrial or commercial activity would be expected as a result of the proposed operations.

K. Locally Adopted Environmental Plans and Goals

The facility would be allowed, by MAQP #2783-06 and Addendum #5, to operate in areas designated by EPA as attainment, unclassified, or in or within 10 km of certain PM₁₀ nonattainment areas in the summer months. MAQP #2873-06 and Addendum #5 would contain limits, which would be protective of air quality and the ambient air quality standards while the facility is operating in these designated areas. Additionally, because the facility is a portable source that will operate at multiple sites on an intermittent and temporary basis, the Department determined that any impacts to existing air quality in these areas of operation would be minor and short-lived.

L. Cumulative and Secondary Impacts

The asphalt plant would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment in the immediate area because the source is a portable, temporary source. Minor increases in traffic would have minor effects on local traffic in the immediate area, thus, having a direct effect on the social environment. Because the source is relatively small (by industrial standards) and temporary, only minor economic impacts to the local economy could be expected from the operation of the facility. Thus, minor and temporary cumulative effects would result to the local economy.

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 an asphalt plant and associated equipment specific to changes in the current permit action. MAQP #2873-06 and Addendum #5 include conditions and limitations to ensure the facility will operate in compliance with all applicable rules and regulations. In addition, there are no significant impacts associated with this proposal.

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

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

EA prepared by: Dave Aguirre
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