

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
OPERATING PERMIT TECHNICAL REVIEW DOCUMENT**

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P.O. Box 1429  
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The following table summarizes the air quality programs testing, monitoring, and reporting requirements applicable to this facility.

<b>Facility Compliance Requirements</b>	Yes	No	Comments
Source Tests Required	X		Method 9, Method 5
Ambient Monitoring Required		X	
COMS Required		X	
CEMS Required		X	
Schedule of Compliance Required		X	
Annual Compliance Certification and Semiannual Reporting Required	X		As Applicable
Monthly Reporting Required		X	
Quarterly Reporting Required		X	
<b>Applicable Air Quality Programs</b>			
ARM Subchapter 7 Preconstruction Permitting	X		Permit #2934-00
New Source Performance Standards (NSPS)		X	
National Emission Standards for Hazardous Air Pollutants (NESHAPS)	X		40 CFR 61, Subpart M
Maximum Achievable Control Technology (MACT)		X	
Major New Source Review (NSR)		X	
Risk Management Plan Required (RMP)		X	
Acid Rain Title IV		X	
State Implementation Plan (SIP)	X		General SIP
Compliance Assurance Monitoring Plan		X	

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## SECTION I - GENERAL INFORMATION

### A. Purpose

This document establishes the basis for the decisions made regarding the applicable requirements, monitoring plan, and compliance status of emissions units affected by the operating permit proposed for this facility. The document is intended for reference during review of the proposed permit by the U.S. Environmental Protection Agency (EPA) and the public. It is also intended to provide background information not included in the operating permit and to document issues that may become important during modifications or renewals of the permit. Conclusions in this document are based on information provided in the original operating permit application submitted by F.H. Stoltze Land & Lumber Company (Stoltze) on May 10, 1996, on June 17, 1997, the operating permit renewal application submitted on July 3, 2002, and the administrative amendment request submitted on October 2, 2003. In addition, conclusions in this document are also based on information provided in the renewal application submitted January 10, 2008.

### B. Facility Location

The plant is located on a 138-acre site in Flathead County, Montana approximately 3 miles west of Columbia Falls. The plant site is located in the SE<sup>1</sup>/<sub>4</sub>, Section 2, Township 30 North, Range 21 West. The UTM coordinates for the facility are Zone 12, Easting 704.10 kilometers and North 5,362.80 kilometers. The elevation of the site is 3,060 feet above sea level.

The climatology of the area may be considered semi-arid. Rainfall in the vicinity of the complex is less than 25 inches per year with most precipitation occurring between April and September. Winds are moderate to light with predominating directions from the Northwest and the Southeast.

### C. Facility Background Information

The air quality classification for the area is "Better than National Standards" or "Unclassified" for all pollutants (40 CFR 81.327) except particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>). Parts of Flathead County including Columbia Falls are classified as non-attainment areas for PM<sub>10</sub>. This designation means that Prevention of Significant Deterioration (PSD) rules potentially apply. The Stoltze site is not located in any non-attainment area. However, a Chemical Mass Balance (CMB) study was conducted for the State Implementation Plan (SIP), which identified Stoltze as contributing to the non-attainment area via fugitive emissions from the roads; the SIP did not place any restrictions on the facility.

### D. Permit History

#### Preconstruction Permit History

Formerly, the facility operated under air quality **Preconstruction Permit #386-012472** for a Tee Pee Burner. This permit was revoked on June 2, 1996, because the facility no longer had a Tee Pee Burner.

During the review of the operating permit application, it was discovered that Stoltze should have obtained a permit to construct EU2 Lumber Drying Kilns in 1975. A letter was sent to Stoltze on May 12, 1997, requiring Stoltze to submit a permit application. On May 21, 1997, Stoltze agreed to submit a preconstruction permit application for the sources in question.

Stoltze submitted a preconstruction permit application on June 17, 1997; it was deemed complete on July 15, 1997. **Preconstruction Permit #2934-00** was issued final on September 30, 1997. A schedule of compliance was included in the draft permit but was removed prior to issuing the proposed operating permit because Stoltze is now in compliance with the Administrative Rules of Montana (ARM) 17.8.701, *et seq.*

## Title V Operating Permit History

On January 5, 1998, Stoltze was issued final and effective Title V **Operating Permit #OP2934-00** for operations at the lumber facility located in Columbia Falls, MT.

On July 22, 2003, Stoltze was issued final and effective Title V **Operating Permit #OP2934-01** in accordance with ARM 17.8.1210(g). The permitting action was a renewal of Permit #OP2934-00 and the Title V operating permit will be issued for a fixed term of 5 years, ending July 22, 2008.

Several changes to the facility and the Title V operating permit program required permit updates from the original Operating Permit #OP2934-00. These changes include the following:

- Removal of the Sawdust Target Box (EU11 from Operating Permit #OP2934-00) and one of the Casey Hedge hog fuel boilers (EU1 from Operating Permit #OP2934-00) from the list of permitted equipment;
- Re-naming of specific emitting units improperly identified in Operating Permit #OP2934-00. These units include the following: EU1 – Hog Fuel Boiler Bank (Wood Waste Fired Boiler Bank – Operating Permit #OP2934-01), EU5 – Planer Shavings Cyclone (#2 Planer Shavings Cyclone – Operating Permit #OP2934-01), EU6 – Shavings to Boiler Cyclone (Shavings: Boiler Bin Cyclone – Operating Permit #OP2934-01), EU7 – Planer Chip Cyclone (Planer: Chipper Cyclone – Operating Permit #OP2934-01), EU8 – Chips to Bin Cyclone (Sawmill Chips: Truck Bin Cyclone – Operating Permit #OP2934-01), EU9 – Trim End Chip Cyclone (Planer Chips: Truck Bin Cyclone – Operating Permit #OP2934-01), EU10 – Shavings Bin Cyclone (Shavings: Truck Bin Cyclone – Operating Permit #OP2934-01);
- Proper identification of a second log de-barker for EU12 – Sawmill and Planer Process;
- The addition of EU13 – Wood Waste Open Burning to the permitted significant emitting unit list and applicable requirements under Section III.I.
- Removal of the diesel and gasoline storage tanks from list of emitting units (EU14 and EU15 Operating Permit #OP2934-00) because these units are considered insignificant emitting units under the Title V Operating Permit Program; and
- At the request of Stoltze, the Department added the requirement for weekly visual survey compliance demonstrations for the following emitting units: EU1, EU2, EU5, EU6, EU7, EU8, EU9, EU10, and EU12.

On October 2, 2003, the Department received a request from Stoltze for an administrative amendment of #OP2934-01 to update Section V.B.3 of the General Conditions incorporating changes to federal Title V rules 40 CFR 70.6(c)(5)(iii)(B) and 70.6(c)(5)(iii)(C) (to be incorporated into Montana's Title V rules at ARM 17.8.1213) regarding Title V annual compliance certifications. **Operating Permit #OP2934-02** replaced Operating Permit #OP2934-01.

### **E. Current Permit Action**

On January 10, 2008, the Department received a request from Stoltze for a renewal to permit #OP2934-02. During the renewal process, EPA expedited the 45-day review of the Proposed permit in order for the Department to meet statutory time frames. **Operating Permit #OP2934-03** replaces OP2934-02.

**F. Taking and Damaging Analysis**

HB 311, the Montana Private Property Assessment Act, requires analysis of every proposed state agency administrative rule, policy, permit condition or permit denial, pertaining to an environmental matter, to determine whether the state action constitutes a taking or damaging of private real property that requires compensation under the Montana or U.S. Constitution. As part of issuing an operating permit, the Department is required to complete a Taking and Damaging Checklist. As required by 2-10-101 through 105, MCA, the Department has conducted a private property taking and damaging assessment and has determined there are no taking or damaging implications.

YES	NO	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deny a fundamental attribute of ownership? (ex.: right to exclude others, disposal of property)
	X	4. Does the action deprive the owner of all economically viable uses of the property?
	X	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? [If no, go to (6)].
		5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
		5b. Is the government requirement roughly proportional to the impact of the proposed use of the property?
	X	6. Does the action have a severe impact on the value of the property? (consider economic impact, investment-backed expectations, character of government action)
	X	7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally?
	X	7a. Is the impact of government action direct, peculiar, and significant?
	X	7b. Has government action resulted in the property becoming practically inaccessible, waterlogged or flooded?
	X	7c. Has government action lowered property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?
	X	Takings or damaging implications? (Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b; the shaded areas)

**G. Compliance Designation**

The facility was last inspected on June 3, 2008, and was found to be in compliance with the Department regulations and permit conditions. There have been no citations since the last Title V Permit renewal.

## SECTION II - SUMMARY OF EMISSION UNITS

### A. Facility Process Description

The primary operation at the facility is the production of dimension grade lumber from raw logs. Logs are received and stored in the log yard. The process of cutting the logs into lumber includes debarking, sawing, chipping, kiln drying, planing, and packaging for shipping. The byproducts of lumber manufacturing are sawdust, wood chips, planer shavings, and hog fuel. These byproducts may be burned in the five hog fuel boilers or stored in bins until the material is sold and transferred off-site. Shavings and sawdust are the main fuel for the boilers.

The operating permit application identified 27 sources of emissions. The following sections discuss these 27 sources and provide information for classifying each emissions source as either a significant or insignificant emissions unit.

### B. Emission Units and Pollution Control Device Identification

#### EU1 – Wood Waste Fired Boiler Bank

The boiler bank consists of four boilers, which use hog fuel, planer shavings, and sawdust for the production of steam that provides heat for the kilns to dry lumber. The boiler bank primarily uses sawdust and shavings as its fuel source. There are two Frost Boilers, one Casey Hedge Boiler and one Erie City Iron Works Boiler. Four of the boilers are rated at 150 horsepower (HP) and one is rated at 100 HP for a combined steam output of 30,000 pounds per hour (pph). The boilers were installed in 1926.

#### EU2 – Lumber Drying Kilns

Stoltze has four lumber drying kilns; three double track and one single track. All four kilns have 21" x 21" roof vents. The four kilns were installed in 1971, 1972, 1974 and 1982. The kilns installed in 1971 and 1972 each have 14 roof vents; the single track kiln installed in 1974 has 26 roof vents, and the kiln installed in 1982 has 12 roof vents.

#### EU3 – Fugitive Emissions: Raw Materials Handling

The permit application did not group material handling as one source of emissions but broke material handling into Bark Handling Fugitives, Chips Handling Fugitives, Shavings Loadout Fugitives, Hog Fuel Handling Fugitives, Sawdust Handling Fugitives, Chips Storage Pile Fugitives, and Hog Fuel Storage Pile Fugitives. These sources were all grouped as insignificant emissions units in the permit application. However, in the operating permit these sources of emissions were grouped as one significant emissions unit, EU3 Fugitive Emissions: Raw Materials Handling.

The raw materials handling fugitive emissions include activities such as shavings handling, sawdust handling, chips handling, and boiler hog fuel handling. The handling begins after the material is generated and includes the pile loading (putting in bins/silos etc.), storage, and unloading of the shavings, chips, sawdust, and hog fuel. The material maybe screened then conveyed or pneumatically transferred to bins or silos where it is stored until it is unloaded from the bins via truck dump or loader. The shavings, sawdust, and chips are stored in bins while the hog fuel is contained in bins or an open pile.

The operating permit applications received from the wood products industry used several

different emission factors and methodologies for calculating emissions from the handling of raw materials. Depending upon which emission factor was chosen and/or how the applicant grouped emissions sources or applied control efficiencies, a similar source of emissions from different facilities may have been included in the permit application as either significant or insignificant. In order to promote consistency for the wood product industry operating permits, the Department has grouped all raw material handling activities as one emissions source and has applied standard emission factors and control efficiencies to determine the significance of raw material handling for a facility.

Based on the Department’s calculations for raw material handling at this facility, the PM<sub>10</sub> emissions for EU3 Fugitive Emissions: Raw Materials Handling is 19.3 tons per year (tpy). The permit application calculated 13.9 tpy. The discrepancies lie in the control efficiencies that were assigned in the permit application and the emission factors used for shavings and chips handling.

**EU4 – Fugitive Emissions: Vehicle Traffic**

These fugitive emissions result from driving vehicles on both paved and unpaved roads/areas.

**EU5 – EU10 Material Handling Cyclones**

Each of the cyclones is used for material handling and each emits less than 15 tpy of PM<sub>10</sub>. The permit application provided the following throughput for the cyclones. The throughput is based on Bone Dry Tons (BDT) per year (BDT/yr) and BDT per hour (BDT/hr).

<b>Emissions Unit</b>	<b>Annual Throughput (BDT/yr)</b>	<b>Hourly Throughput (BDT/hr)</b>
EU5 #2 Planer Shavings Cyclone	18,000	5
EU6 Shavings: Boiler Bin Cyclone	9,000	5
EU7 Planer: Chipper Cyclone	1,500	2
EU8 Sawmill Chips: Truck Bin Cyclone	33,500	10
EU9 Planer Chips: Truck Bin Cyclone	1,500	2
EU10 Shavings: Truck Bin Cyclone	9,000	5

**EU11 – Sawmill and Planer Process**

The permit application did not group sawmill and planer processes as one source of emissions but included the following as individual emissions unit: hog, two log de-barkers, sawmill chippers, cut off saws, and sawmill building vents. These sources were all grouped as insignificant emission units in the permit application, based on the emission factors and control efficiencies applied in the permit application. Each of these sources emits less than 15 tpy of PM<sub>10</sub>.

The Department has decided to group all raw material handling as one emissions source and use standard mission factors and control efficiencies for raw materials handling for consistency in determining what constitutes an insignificant source for the wood products industry. Based on the Department’s calculations, raw material handling for this facility is a significant source at 19.3 tpy of PM<sub>10</sub>.

**EU12 – Fugitive Emissions: Plant-Wide Fuel Combustion**

These emissions result from the combustion of diesel, propane, and gasoline at the facility.

**EU13 – Wood Waste Open Burning**

Stoltze conducts periodic open burning of wood waste piles at the facility. An air quality Trade Waste Burning Permit is obtained annually from the Flathead City-County Public Health Department.

## SECTION III - PERMIT CONDITIONS

### A. Emission Limits and Standards

There are no emission limits or standards identified in this permit that were not previously applicable to the facility. All emission limits are listed in the operating permit along with the applicable rule citation for each limit.

### B. Monitoring Requirements

ARM 17.8.1212(1) requires that all monitoring and analysis procedures or test methods required by any applicable requirement to be contained in the operating permit. In addition, when the applicable requirement does not require periodic testing or monitoring, periodic monitoring must be prescribed that is sufficient to yield reliable data from the relevant time period that is representative of the source's compliance with the permit.

The requirement for testing, monitoring, recordkeeping, reporting, and compliance certification sufficient to assure compliance does not require the permit to impose the same level of rigor for all emission units. Furthermore, it does not require extensive testing or monitoring to assure compliance with the applicable requirements for emission units that do not have significant potential to violate emission limitations or other requirements under normal operating conditions.

When compliance with the underlying applicable requirement for an insignificant emissions unit is not threatened by lack of regular monitoring and when periodic testing or monitoring is not otherwise required by the applicable requirement, the status quo (i.e., no monitoring) will meet the requirements of ARM 17.8.1212(1). Therefore, the permit does not include monitoring and/or recordkeeping for all generally applicable requirements such as ARM 17.8.304, 308, 310, 322, and 324.

The information obtained from the monitoring and recordkeeping will be used by Stoltze to periodically certify compliance with the emission limits and standards. However, the Department may request additional testing to determine compliance with the emission limits and standards. If it is determined through testing, using test methods identified in the Montana Source Test Protocol and Procedures Manual that any emissions unit is out of compliance with any applicable requirement, Stoltze will not be shielded from an enforcement action even if the required monitoring methods listed in the permit indicate compliance with the applicable requirement.

For example, there are no monitoring requirements for ARM 17.8.310 (particulate emissions from process weight) for the material handling cyclones. If the Department required a Method 5 test on one of these cyclones and it was found to be out of compliance with the emission limit then the Department would have cause for an enforcement action. Similarly, if Stoltze performed visual surveys for the raw material handling points as required by the permit and determined that based on the performance of the visual surveys that Stoltze was in compliance with ARM 17.8.308 but an inspector performed a Method 9 test and determined that there was an opacity violation then Stoltze would be subject to enforcement even though the monitoring indicated compliance.

### C. Test Methods and Procedures

The operating permit may not require testing for all sources if routine monitoring is used to determine compliance, but the Department has the authority to require testing if deemed necessary to determine compliance with an emission limit or standard. In addition, Stoltze may elect to voluntarily conduct compliance testing to confirm its compliance status.

## **EU1 Wood Waste Fired Boiler Bank**

In the past, there were no requirements to perform testing on the hog fuel boiler bank. However, the operating permit requires a Method 5 test to be performed every five years to monitor compliance with the particulate standards and either weekly visual surveys or a semiannual Method 9 compliance source test to monitor compliance with the opacity limit(s).

Although Method 9 is the method identified by ARM 17.8.101(27) to determine compliance for opacity, the Department has included visual surveys for EU1 hog fuel boiler bank to wood waste fired boiler bank. The visual surveys require the facility to look at particulate emissions on a weekly basis and if necessary take corrective actions. The Department believes that performing weekly surveys may provide a greater benefit than performing semiannual Method 9 tests. Not only may costs for compliance be reduced but the weekly visual surveys may increase the facility's awareness of emissions. However, by performing the visual surveys the underlying requirement is not jeopardized because the Department may require a Method 9 at any time pursuant to ARM 17.8.105. In addition, the facility may elect to perform the Method 9 tests in lieu of the visual surveys.

The potential uncontrolled PM<sub>10</sub> emissions from the boiler are 118.3 tpy and the carbon monoxide (CO) potential emissions have been calculated at 180.7 tpy. Testing is not required for CO because the hog fuel boiler does not have a CO limit. Therefore, the permit only requires particulate testing every 5 years to monitor compliance with the maximum allowable emissions of particulate matter for existing fuel burning equipment using the following equation:

For existing fuel burning equipment:  $E=0.882 * H^{-0.1664}$

Where H is the heat input capacity in million British thermal units (MMBtu) per hour and E is the maximum allowable particulate emissions rate in pounds.

## **EU2 Lumber Drying Kilns**

The operating permit requires a Method 5 compliance source test to be performed as required by the Department to monitor compliance with the particulate standards and either weekly visual surveys or a semiannual Method 9 compliance source test to monitor compliance with the opacity limit(s).

Although Method 9 is the method identified by ARM 17.8.101(27) to determine compliance for opacity, the Department has included visual surveys for EU2 lumber drying kilns. The visual surveys require the facility to look at particulate emissions on a weekly basis and if necessary take corrective actions. The Department believes that performing weekly surveys may provide a greater benefit than performing semiannual Method 9 tests. Not only may costs for compliance be reduced but the weekly visual surveys may increase the facility's awareness of fugitive emissions. However, by performing the visual surveys the underlying requirement is not jeopardized because the Department may require a Method 9 at any time pursuant to ARM 17.8.105. In addition, the facility may elect to perform the Method 9 tests in lieu of the visual surveys.

The Department evaluated the need to require hourly process weight values or perform Method 5 tests from the drying kilns. Based on the review, the Department determined that requiring recordkeeping information or testing would result in work for both the

facility and the Department without any environmental benefit. Emissions from the drying kilns are predominantly VOCs. Studies performed by the National Council of the Paper Industry and Stream Improvement Inc. (NCASI) demonstrate that drying kilns will not violate the process weight rule. However, the Department reserves the right to require Method 5 compliance source testing at the Department's request.

**EU3 Fugitive Emissions: Raw Materials Handling**

**EU4 Fugitive Emissions: Vehicle Traffic**

The operating permit requires a Method 5 compliance source test to be performed as required by the Department to monitor compliance with the particulate standards and either weekly visual surveys or a semiannual Method 9 compliance source test to monitor compliance with the opacity limit(s).

Although Method 9 is the method identified by ARM 17.8.101(27) to determine compliance for opacity, the Department has included visual surveys for EU3 Fugitive Emissions: Raw Materials Handling and EU4 Fugitive Emissions: Vehicle Traffic as a monitoring method to indicate and certify compliance with ARM 17.8.308. The visual surveys require the facility to look at fugitive particulate emissions on a weekly basis and if necessary take corrective actions. The Department believes that performing weekly surveys may provide a greater benefit than performing semiannual Method 9 tests. Not only may costs for compliance be reduced but the weekly visual surveys may increase the facility's awareness of fugitive emissions. However, by performing the visual surveys the underlying requirement is not jeopardized because the Department may require a Method 9 at any time pursuant to ARM 17.8.105. In addition, the facility may elect to perform the Method 9 tests in lieu of the visual surveys.

**EU5 - EU10 Material Handling Cyclones**

The operating permit requires a Method 5 compliance source test to be performed as required by the Department to monitor compliance with the particulate standards and either weekly visual surveys or a semiannual Method 9 compliance source test to monitor compliance with the opacity limit(s).

Although Method 9 is the method identified by ARM 17.8.101(27) to determine compliance for opacity, the Department included visual surveys for the material handling cyclones. The visual surveys require the facility to look at particulate emissions on a weekly basis and if necessary take corrective actions. The Department believes that performing weekly surveys may provide a greater benefit than performing semiannual Method 9 tests. Not only may costs for compliance be reduced but the weekly visual surveys may increase the facility's awareness of fugitive emissions. However, by performing the visual surveys the underlying requirement is not jeopardized because the Department may require a Method 9 at any time pursuant to ARM 17.8.105. In addition, the facility may elect to perform the Method 9 tests in lieu of the visual surveys.

**EU11 Sawmill and Planer Processes**

The operating permit requires a Method 5 compliance source test to be performed as required by the Department to monitor compliance with the particulate standards and either weekly visual surveys or a semiannual Method 9 compliance source test to monitor compliance with the opacity limit(s).

Although Method 9 is the method identified by ARM 17.8.101(27) to determine compliance for opacity, the Department included visual surveys for the sawmill and planer processes. The visual surveys require the facility to look at particulate emissions

on a weekly basis and if necessary take corrective actions. The Department believes that performing weekly surveys may provide a greater benefit than performing semiannual Method 9 tests. Not only may costs for compliance be reduced but the weekly visual surveys may increase the facility's awareness of emissions. However, by performing the visual surveys the underlying requirement is not jeopardized because the Department may require a Method 9 at any time pursuant to ARM 17.8.105. In addition, the facility may elect to perform the Method 9 tests in lieu of the visual surveys.

#### **EU12 Fugitive Emissions: Plant-Wide Fuel Combustion**

The sulfur in fuel rule is the only applicable requirement for plant-wide fuel combustion because motor vehicles are excluded from the opacity rule under ARM 17.8.304(4). Compliance with the sulfur in fuel rule can be monitored by burning gasoline and diesel fuel from petroleum distributors that meets the sulfur in fuel requirements. Therefore, the permit does not include any monitoring for the fugitive emissions from fuel although Stoltze must use and maintain a log indicating any time fuel other than that fitting the sulfur in fuel criteria was used. Further, on a semiannual basis Stoltze must provide a summary of the required log and an annual certification of compliance is required for each applicable requirement.

#### **EU13 Wood Waste Open Burning**

Flathead County Public Health Department, not the Department, has regulatory authority over Air Quality Trade Waste Open Burning Permits for burns within Flathead County. If trade waste open burning will be conducted during a given time period, Stoltze must apply for and receive the appropriate Air Quality Trade Waste Open Burning Permits from Flathead County for that given time period. The Department determined that annual certification of the above applicable requirement is required to monitor compliance with wood-waste open burning operations at the site.

#### **D. Recordkeeping Requirements**

Stoltze is required to keep all records listed in the operating permit as a permanent business record for at least 5 years following the date of the generation of the record.

#### **E. Reporting Requirements**

Reporting requirements are included in the permit for each emissions unit. Section V of the operating permit "General Conditions" explains the reporting requirements. However, Stoltze is required to submit semiannual and annual monitoring reports to the Department and to annually certify compliance with the applicable requirements contained in the permit. The reports must include a list of all emission limit and monitoring deviations, the reason for any deviation, and the corrective action taken as a result of any deviation.

#### **F. Public Notice**

In accordance with ARM 17.8.1232, a public notice was published in the *Daily Interlake* newspaper on or before April 30, 2009. The Department provided a 30-day public comment period on the draft operating permit from April 30 to June 1, 2009. ARM 17.8.1232 requires the Department to keep a record of both comments and issues raised during the public participation process. The comments and issues received by June 1, 2009 will be summarized, along with the Department's responses, in the following table. All comments received during the public comment period will be promptly forwarded to Stoltze so they may have an opportunity to respond to these comments as well.

**G. Draft Permit Comments**

Summary of Permittee Comments

Permit Reference	Permittee Comment	Department Response
Section III.A.14	Stoltze is currently not subject to any known National Emission Standard for Hazardous Air Pollutants (NESHAPs) or Maximum Achievable Control Technology (MACT) standard. Stoltze will monitor new NESHAP regulations for applicability and submit a Startup, Shutdown, and Malfunction (SSM) plan within the timelines listed in OP2934-03.	The Department concurs that the only time an SSM plan is required to be submitted to the Department is when an SSM plan is required under 40 CFR 63.6(e)(3)
Section III.B.4	<p>The previous permit OP2934-02 included the following language: <i>The person conducting the survey does not have to be an EPA Method 9 certified observer. However, the individual must have been certified as a Method 9 observer within the previous 2 years of the visual survey being performed.</i></p> <p>Stoltze is unclear as to whether a currently certified Method 9 observer is required to perform the weekly visual surveys. The previous permit does not require a certified observer for the weekly visual surveys. Stoltze requests that the language from the previous permit be included in the new operating permit.</p>	<p>The Department understands your concerns regarding the changes in visual survey language, specifically how it may provide a disincentive to continue the practice of visual surveys. Visual surveys have and will continue to provide an environmental benefit (when used) by getting operators to become more familiar and aware with the opacities at their respective facilities, as well as encouraging proactive behavior with respect to minimizing emissions. However, based on EPA's strong concerns with the defensibility of the language currently in use in Montana Title V permits and upon review of other states' practices, the Department has determined that the visual survey language in the draft permit will remain.</p> <p>Method 9s do require certification, but visual surveys for visible emissions do not.</p>
Section III.B.9	There are two B.9 sections listed in the permit.	The Department corrected the numbering.

## SECTION IV - NON-APPLICABLE REQUIREMENTS ANALYSIS

F.H. Stoltze Land & Lumber Co. (Stoltze) requested a permit shield from all requirements that were identified as non-applicable in its permit application. Section IV of the operating permit “Non-applicable Requirements” contains the requirements that the Department determined were non-applicable. The following table summarizes the requirements that Stoltze identified as non-applicable in the permit application but will not be included in the operating permit as non-applicable. The table includes both the applicable requirement and reason that the Department did not identify this requirement as non-applicable.

### Requirements Not Included in Section IV Non-applicable Requirements of the Operating Permit

Applicable Requirement	Reason(s) for Not Including in Permit
40 CFR 50	These rules have been excluded from Title V as an applicable requirement. However, these rules can be used to impose specific requirements on a major source.
40 CFR 51.119 40 CFR 51.164 40 CFR 51.165 40 CFR 51.166 40 CFR 51.300 - 307 40 CFR 51, Appendix P 40 CFR 51, Appendix S 40 CFR 52.21 40 CFR 52.24 40 CFR 52.29 40 CFR 53 and 58, Appendix B 40 CFR 62 40 CFR 70 and 71	Because these rules contain requirements for regulatory authorities and not major sources, these rules can be used to impose specific requirements on a major source.
40 CFR 61, Subpart M	This is a federal regulation that has specific procedural requirements that may become relevant to the major source during the permit term.
40 CFR 60, Subpart A 40 CFR 61, Subpart A 40 CFR 63, Subpart A	These federal regulations consist of an applicability statement. These regulations may not be applicable to the source at this time; however, these regulations may become applicable during the life of the permit.

Applicable Requirement	Reason(s) for Not Including in Permit
ARM 17.8.801 Definitions ARM 17.8.802 Incorporation by Reference ARM 17.8.901 Definitions ARM 17.8.902 Incorporation by Reference ARM 17.8.1001 Definitions ARM 17.8.1101 Definitions ARM 17.8.1102 Incorporation by Reference ARM 17.8.1103 Applicability --Visibility Requirements ARM 17.8.1107 Visibility Models	These are rules that consist of either a statement of purpose, applicability statement, regulatory definitions or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.
ARM 17.8.825 Sources Impacting Federal Class I Areas -- Additional Requirements ARM 17.8.826 Public Participation ARM 17.8.1108 Notification of Permit Application ARM 17.8.1109 Adverse Impact and Federal Land Manager	These rules do not have specific requirements for major sources because they are requirements for EPA or state and local authorities. However, these rules may be used as authority to impose specific requirements on a major source.
ARM 17.8.322 Sulfur Oxide Emissions - Sulfur in Fuel ARM 17.8.701 <i>et seq.</i> Permit, construction and operation of contaminant sources	This facility burns solid fuel at the facility. Therefore, this rule is applicable to the facility.
ARM 17.8.324(1)&(3) Hydrocarbon Emissions -- Petroleum Products	This facility has gasoline storage tanks in excess of 250 gallons.
ARM 17.8.1301, Definitions ARM 17.8.1401, Definitions ARM 17.8.1504 ARM 17.8.1505 through ARM 17.8.1514	These rules do not affect major stationary sources.
ARM 17.8.120 Variance Procedures ARM 17.8.504 Air Quality Permit Application Fees ARM 17.8.514 Air Quality Open Burning Fees ARM 17.8.612 Conditional Air Quality Open Burning Permits ARM 17.8.611 Emergency Open Burning Permits ARM 17.8.326 Prohibited Materials for Wood or Coal Residential Stoves ARM 17.8.330 Emission Standards for Existing Aluminum Plants ARM 17.8.904 When Air Quality Preconstruction Permit Required ARM 17.8.905 Additional Conditions of Air Quality Preconstruction Permit ARM 17.8.906 Baseline for Determining Credit for Emissions and Air Quality Offsets ARM 17.8.1004 When Air Quality Preconstruction Permit Required ARM 17.8.1005 Additional Conditions of Air Quality Preconstruction Permit ARM 17.8.1006 Review of Specified Sources for Air Quality Impact ARM 17.8.1007 Baseline for Determining Credit for	These regulations may not be applicable to the source at this time, however, these regulations may become applicable during the life of the permit.

Applicable Requirement	Reason(s) for Not Including in Permit
Emissions and Air Quality Offsets	
<p>MCA 75-2-101 <i>et. seq.</i> Title policy, definitions, powers etc. of the Montana Clean Air Act</p> <p>MCA 75-2-201(1) Classifying and reporting air contaminant sources</p> <p>MCA 75-2-202 <i>et. seq.</i> Setting of ambient air quality standards, emission levels, permits, public hearings, sulfur dioxide, variances, operating permits, fees, medical waste incineration, disclosure and permit denial</p> <p>MCA 75-301 <i>et. seq.</i> Local Air Pollution Control</p> <p>MCA 75-2-401 <i>et. seq.</i> Enforcement, appeals and penalties</p> <p>MCA 75-2-101 Title, policy definitions, powers etc. of the Montana Clean Air Act</p> <p>MCA 75-2-501 <i>et. seq.</i> Asbestos Control</p>	<p>As with the federal regulations, shields are not being granted for regulations that do not have specific requirements for major sources.</p>

## SECTION V - FUTURE PERMIT CONSIDERATIONS

### A. MACT Standards

As of the date of permit issuance, the Department is unaware of any future MACT requirement that may be promulgated that would affect this facility.

### B. NESHAP Standards

The only NESHAP standard that this facility is subject to as of the date of permit issuance, is 40 CFR 61, Subpart M, "National Emission Standards for Hazardous Air Pollutants for Demolition and Renovation"; this standard is applicable to any asbestos project. Stoltze conducted an asbestos abatement project in 1988. Allwaste Asbestos Abatement Company removed 320 linear feet of pipe insulation in the lumber mill. The material was disposed of in the Missoula Browning Ferris Industries Landfill.

The Department is unaware of any future NESHAP requirement that may be promulgated during the permit term for which this facility must comply.

### C. NSPS Standards

As of the date of permit issuance, the Department is unaware of any future NSPS requirement that may be promulgated that would affect this facility.

Currently, the only NSPS requirement that the facility could potentially be subject to is 40 CFR 60, Subpart Dc, "Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units." However, this subpart is not applicable to this facility because the boilers were installed in 1926, which is prior to the affected unit date.

### D. Risk Management Plan

As of the date of permit issuance, this facility does not exceed the minimum threshold quantities for any regulated substance listed in 40 CFR 68.115 for any facility process. Therefore, this facility is not required to submit a Risk Management Plan at this time.

If a facility has more than a threshold quantity of a regulated substance in a process, the facility must comply with 40 CFR 68 requirements no later than June 21, 1999; three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or the date on which a regulated substance is first present in more than a threshold quantity in a process, whichever is later.

### E. Compliance Assurance Monitoring Plan

An emitting unit located at a Title V facility that meets the following criteria listed in ARM 17.8.1503 is subject to Subchapter 15 and must develop a CAM Plan for that unit:

- The emitting unit is subject to an emission limitation or standard for the applicable regulated air pollutant (other than emission limits or standards proposed after November 15, 1990, since these regulations contain specific monitoring requirements);
- The emitting unit uses a control device to achieve compliance with such limit; and
- The emitting unit has potential pre-control device emission of the applicable regulated air pollutant that are greater than major source thresholds/

Stoltze does not currently have any emitting units that meet all the applicability criteria in ARM 17.8.1503, and is therefore not currently required to develop a CAM Plan.