



Montana Department of
ENVIRONMENTAL QUALITY

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February 21, 2013

Ron Lowney
WBI Energy Transmission, Inc.
Morgan Creek Compressor Station
2010 Montana Avenue
Glendive, MT 59330

Dear Mr. Lowney:

Montana Air Quality Permit #2805-01 is deemed final as of February 21, 2013, by the Department of Environmental Quality (Department). This permit is for a natural gas compressor station and associated equipment. All conditions of the Department's Decision remain the same. Enclosed is a copy of your permit with the final date indicated.

For the Department,

Julie Merkel
Air Permitting Supervisor
Air Resources Management Bureau
(406) 444-3626

Skye Hatten, P.E.
Environmental Engineer
Air Resources Management Bureau
(406) 444-5287

JM:SH
Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Montana Air Quality Permit #2805-01

WBI Energy Transmission, Inc.
Morgan Creek Compressor Station
2010 Montana Avenue
Glendive, MT 59330

February 21, 2013



MONTANA AIR QUALITY PERMIT

Issued to: WBI Energy Transmission, Inc. MAQP: #2805-01
Morgan Creek Administrative Amendment (AA)
Compressor Station Request Received: December 10, 2012
2010 Montana Avenue Department Decision on AA: February 5, 2013
Glendive, MT 59330 Permit Final: February 21, 2013
AFS #: 021-0004

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to WBI Energy Transmission, Inc. (WBI), pursuant to Sections 75-2-204 and 211 of the Montana Codes 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

WBI owns and operates a natural gas compressor station and associated equipment located in the NE¼ of the SW¼ of Section 32, Township 18 North, Range 56 East, Dawson County, Montana. The facility is known as the Morgan Creek Compressor Station.

B. Current Permit Action

On February 20, 2007, Montana Department of Environmental Quality (Department) received a notification of a *de minimis* change to the facility. WBI placed into service a 42.5 hp natural gas fired reciprocating internal combustion engine at the Morgan Creek Compressor Station. The engine is an Onan Model JC that drives a 12.5 kW Onan Model YD emergency backup electric generator for the station. The Department approved the *de minimis* change on February 28, 2007.

On December 10, 2012, the Department received an Administrative Amendment (AA) request from WBI to change the official name of the company from Williston Basin Interstate Pipeline Company to WBI Energy Transmission, Inc.

With issuance of this permit, the Department incorporates the February 2007 *de minimis* change, the change in company name, as well as incorporates current language and rule references used by the Department.

Section II: Conditions and Limitations

A. Emission Limitations

1. The 800-hp Superior 8G-825 compressor engine (Unit #1) shall be operated with a Non-Selective Catalytic Reduction (NSCR) unit. Emissions from Unit #1 shall not exceed the following (ARM 17.8.752):

Oxides of Nitrogen (NO _x ¹):	3.53 pounds/hour (lb/hr)
Carbon Monoxide (CO):	5.29 lb/hr
Volatile Organic Compounds (VOC)	1.76 lb/hr

2. The 800-hp Superior 8G-825 compressor engine (Unit #2) shall be operated with an NSCR unit. Emissions from Unit #2 shall not exceed the following (ARM 17.8.752):

NO _x ¹	3.53 lb/hr
CO	5.29 lb/hr
VOC	1.76 lb/hr

3. The 800-hp Superior 8G-825 compressor engine (Unit #3) shall be operated with an NSCR unit. Emissions from Unit #3 shall not exceed the following (ARM 17.8.752):

NO _x ¹	3.53 lb/hr
CO	5.29 lb/hr
VOC	1.76 lb/hr

4. WBI shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any sources installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).
5. WBI shall not cause or authorize the use of any street, road, parking lot, or the general plant property without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).
6. WBI shall treat all unpaved portions of the haul roads, access roads, parking lots, or general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation in Section II.A.5 (ARM 17.8.749).
7. WBI shall operate all equipment to provide the maximum air pollution control for which it was designed (ARM 17.8.749).
8. WBI shall comply with all applicable standards and limitations, and the reporting, record keeping, and notification requirements contained in 40 CFR 60, Subpart JJJJ, *Standards of Performance for Stationary Spark Ignition Internal Combustion Engines* and 40 CFR 63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*, for any applicable natural gas engine (ARM 17.8.340 and 40 CFR 60, Subpart JJJJ and ARM 17.8.342 and 40 CFR 63, Subpart ZZZZ).

B. Testing Requirements

1. The 800-hp Superior 8G-825 compressor engine (unit #1) shall be initially tested for NO_x and CO, concurrently, and the results submitted to the department which demonstrate compliance with the emission limitations contained in Section II.A.1 within one (1) year of permit issuance and every four years after the initial test (ARM 17.8.105 and ARM 17.8.749).
2. The 800-hp Superior 8G-825 compressor engine (unit #2) shall be initially tested for NO_x and CO, concurrently, and the results submitted to the department which demonstrate compliance with the emission limitations contained in Section II.A.2 within one (1) year of permit issuance and every four years after the initial test (ARM 17.8.105 and ARM 17.8.749).

3. The 800-hp Superior 8G-825 compressor engine (unit #3) shall be initially tested for NOx and CO, concurrently, and the results submitted to the department which demonstrate compliance with the emission limitations contained in Section II.A.3 within one (1) year of permit issuance and every four years after the initial test (ARM 17.8.105 and ARM 17.8.749).
4. All compliance source tests shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
5. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. WBI shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but is not limited to, all sources of emissions identified in 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 to calculate operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

2. WBI shall notify the Department of any construction or improvement project conducted pursuant to ARM 17.8.745, that would include *the addition of a new emissions unit*, change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit. The notice must be submitted to the Department, in writing, 10 days prior to start up or use of the de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(1)(d) (ARM 17.8.745).
3. All records compiled in accordance with this permit must be maintained by WBI 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).

Section III: General Conditions

- A. Inspection - WBI shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver - The permit and the terms, conditions, and matters stated herein shall be deemed accepted if WBI fails to appeal as indicated below.

- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving WBI of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740 *et seq.* (ARM 17.8.756).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement action as specified in Section 75-2-401 *et seq.*, MCA.
- E. Appeals – Any person or persons jointly or severally adversely affected by the Department’s decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds 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 a permit by the Board postpones the effective date of the Department’s decision until conclusion of the hearing and issuance of a final decision by the Board. If a stay is not issued by the Board, the Department’s decision on the application is final 16 days after the Department’s decision is made.
- F. Permit Inspection - As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by the Department at the location of the permitted source.
- G. Permit Fee – Pursuant to Section 75-2-220, MCA, failure to pay the annual operation fee by WBI may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.
- H. Duration of Permit – Construction or installation must begin or contractual obligations entered into that would constitute substantial loss within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall expire (ARM 17.8.762).

Montana Air Quality Permit (MAQP) Analysis
WBI Energy Transmission, Inc.
MAQP #2805-01

I. Introduction/Process Description

A. Permitted Equipment

WBI Energy Transmission, Inc. (WBI) owns and operates a natural gas compressor station and associated equipment located in the NE¼ of the SW¼ of Section 32, Township 18 North, Range 56 East, in Dawson County Montana. The facility is known as the Morgan Creek Compressor Station. The facility is located approximately 13 miles north of Glendive, Montana on Highway 16. Permitted equipment includes, but is not limited to, the following:

Unit #	Year Inst	Make	Model	Size
1	1981	Superior	8G-825	800 hp ^a
2	1981	Superior	8G-825	800 hp
3	1982	Superior	8G-825	800 hp
4	1981	Eclipse Boiler		1.35 MMBtu/hr ^b
5	2007	Onan Eng/Generator	JC	42.5 hp

Small natural gas-fired heaters include the following:

Unit Type	Year Inst	Make	Model	Size
Water Heater	1980	AO Smith	PGC-40	32,500 Btu/hr ^c
Shop Heater	1980	Magic Chief	KA5130A1	30,000 Btu/hr
Office Heater	1980	Warm Morning	DV203-AMA	30,000 Btu/hr

^a Horsepower (hp)

^b million British thermal unit per hour (MMBtu/hr)

^c British thermal unit per hr (Btu/hr)

B. Source Description

The Morgan Creek Compressor Station serves as a natural gas pipeline booster station. The addition of this facility increases the capacity of the Morgan Creek to Cabin Creek pipeline section. The increase was necessary to transport additional volumes of gas purchased in the Sidney-Fairview area and in the Bowdoin Field near Saco to storage at the Cabin Creek, Montana storage area. The Morgan Creek station's maximum daily compression capability is 50.0 million standard cubic feet per day (MMScfd).

C. Permit History

The Morgan Creek Compressor Station was constructed by Williston Basin's predecessor, the Montana-Dakota Utilities Company (MDU), in two phases between May, 1980 and March, 1982. In the first phase, MDU filed docket number 80-76 with the Federal Energy Regulatory Commission (FERC) on November 9, 1979. These FERC filings requested authority to construct, operate, and to take additional volumes of gas where available. As stated in this docket, two Ajax 600 horsepower compressor engines (units #1 & #2) were

to be installed at a site in Dawson County, to be known as the Morgan Creek Compressor Station. Other facilities were also planned to be constructed as per this docket, which includes a 16 mile long looped pipeline section. The addition of these facilities would effectively increase the capacity of the Morgan Creek to Cabin Creek pipeline section. The increase was necessary to transport additional volumes of gas purchased in the Sidney-Fairview area and in the Bowdoin Field near Saco to storage at the Cabin Creek, Montana storage area.

After filing the FERC docket, it was discovered that the two Ajax 600 hp compressor engines were not capable of compressing the required volumes. In a May 2, 1980 amendment of application, two Superior 800 hp compressor engines were substituted to handle the designed conditions. Initial construction of the Morgan Creek Compressor Station began on May 19, 1980 with the construction of two (2) 800 hp Superior 8G-825 compressor engines (units #1 & 2) and a 1.35 MMBtu/hr Eclipse 30-G-D boiler. This initial phase of construction was completed by March 19, 1981 with estimated potential NOx emissions of 231 tons per year.

After that initial FERC docket filing, Koch Hydrocarbon Company (Koch) informed MDU on June 5, 1980, of its intent to construct a natural gas processing plant near Sidney, Montana. This plant would deliver 25 MMcfd by August 1, 1980 and up to 50 MMcfd by September 1, 1980. Even with the completion of the Morgan Creek facilities (2 units at Morgan Creek and pipeline looping) MDU could only take maximum deliveries from Koch of 14.2 MMcfd.

Pipeline replacement, pipeline looping and an additional engine at Morgan Creek were then planned to increase the capacity to deliver the 50 MMcfd from the Koch plant to Cabin Creek. MDU filed another docket with the FERC on August 1, 1980, to install additional pipe and another compressor engine. Because of time constraints, construction planned for these facilities involved a two-phase construction approach. The first construction phase in 1980 was the looping of approximately 24.6 miles of pipe. The increase in the capacity of the pipe, as well as the winter market requirement, would handle the additional 50 MMcfd from Koch. The second construction phase, to be built in 1981, was the installation of an additional compressor engine (unit #3) at Morgan Creek Compressor Station and additional pipeline looping to transport the larger gas volumes during the summer months into Cabin Creek storage.

On March 25, 1981, construction began on the third 800 hp Superior 8G-825 compressor engine (unit #3) and was completed on March 24, 1982. The estimated potential increase in NOx emissions from the installation of unit #3 is 115.5 tons per year.

MAQP #2805-00 was issued on January 9, 1995.

D. Current Permit Action

On February 20, 2007, Montana Department of Environmental Quality (Department) received a notification of a *de minimis* change to the facility. WBI placed into service a 42.5 hp natural gas fired reciprocating internal combustion engine at the Morgan Creek Compressor Station. The engine is an Onan Model JC that drives a 12.5 kW Onan Model YD emergency backup electric generator for the station. The Department approved the *de minimis* change on February 28, 2007.

On December 10, 2012, the Department received an Administrative Amendment (AA) request from WBI to change the official name of the company from Williston Basin Interstate Pipeline Company to WBI Energy Transmission, Inc.

With issuance of this permit, the Department incorporates the February 2007 *de minimis* change, the change in company name, as well as incorporates current language and rule references used by the Department. **MAQP #2805-01** replaces MAQP #2805-00.

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).

WBI 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 which, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an

emission of air contaminant which would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

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

1. ARM 17.8.204 Ambient Air Monitoring
2. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
3. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Oxide
4. ARM 17.8.212 Ambient Air Quality Standards for Carbon Dioxide
5. ARM 17.8.213 Ambient Air Quality Standard for Ozone
6. ARM 17.8.214 Ambient Air Quality Standard for Hydrogen Sulfide
7. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
8. ARM 17.8.221 Ambient Air Quality Standard for Visibility
9. ARM 17.8.222 Ambient Air Quality Standard for Lead
10. ARM 17.8.223 Ambient Air Quality Standard for PM₁₀

WBI 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, WBI 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, allow or permit to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this rule.
4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause, allow or permit to be discharged into the atmosphere particulate matter in excess of the amount set forth in this rule.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. (4) Commencing July 1, 1972, no person shall burn liquid or solid fuels containing sulfur in excess of 1 pound of sulfur per million Btu fired. (5) 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. WBI will utilize natural gas for operating its fuel burning equipment, which will meet this limitation.

6. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS).
 - a. 40 CFR 60, Subpart A – General Provisions apply to all equipment or facilities subject to an NSPS Subpart as listed below.
 - b. 40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The Morgan Creek Compressor Station is not subject to this subpart as the engines were manufactured and installed before the applicability dates outlined in the subpart. However, future engine installations, replacements, or reconstructions may be subject to 40 CFR 60 Subpart JJJJ.
 - c. CFR Part 60. Subpart KKK, Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants, is not applicable to this facility because the facility does not meet the definition of a natural gas processing plant.

7. ARM 17.8.342 Emission Standards for Hazardous Air Pollutants for Source Categories. The source, as defined and applied in 40 CFR Part 63, shall comply with the requirements of 40 CFR Part 63, as listed below:
 - a. 40 CFR 63, Subpart A – General Provisions apply to all equipment or facilities subject to an NESHAP Subpart as listed below:
 - b. 40 CFR 63, Subpart HHH National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities. In order for a natural gas transmission and storage facility to be subject to 40 CFR 63, Subpart HHH requirements, the facility must be a major source of Hazardous Air Pollutants (HAPs) as determined using the maximum natural gas throughput as calculated in either paragraphs (a)(1) and (a)(2) or paragraphs (a)(2) and (a)(3) of 40 CFR 63, Subpart HHH. Based on the information submitted by WBI, the Morgan Creek facility is not subject to the provisions of 40 CFR 63, Subpart HHH because the facility is not a major source of HAPs.
 - c. 40 CFR 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE). As an area source, the RICE at WBI will be subject to this rule. However, although the RICE engines are an affected source, per 40 CFR 63.6590(b)(3) they do not have any requirements unless they are new or reconstructed after June 12, 2006. Any RICE engine operated by WBI that is new or reconstructed after June 12, 2006, will be subject to this Maximum Available Control Technology (MACT) standard if the engine remains or will remain at the permitted location for more than 12 months, or a shorter period of time for an engine located at a seasonal source. A seasonal source remains at a single location on a permanent basis (at least 2 years) and operates 3 months or more each year. Although the RICE engines operated by WBI at the Morgan Creek facility were installed prior to June 12, 2006, area source provisions of the MACT requirements may apply to future engines.

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

1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. A permit fee is not required for the current permit action because the permit action is considered an administrative permit change.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit (excluding an open burning permit) issued by the Department. The air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that prorate 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 facility to obtain an air quality permit or permit modification if they construct, modify, or use any air contaminant sources that have the Potential to Emit (PTE) greater than 25 tons per year of any pollutant. WBI has the potential to emit more than 25 tons per year of nitrogen oxides (NO_x) and Carbon Monoxide (CO); therefore, an air quality permit is required.
3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit program.
4. ARM 17.8.745 Montana Air Quality Permits—Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that do not require a permit under the Montana Air Quality Permit Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. (1) This rule requires that a permit application be submitted prior to installation, modification, or use of a source. A permit application was not required for the current permit action because the permit change is considered an administrative permit change. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the

area affected by the application for a permit. An affidavit of publication of public notice was not required for the current permit action because the permit change is considered an administrative permit change.

6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. The required BACT analysis is included in Section III of this permit analysis.
8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving WBI of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.759 Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those permit applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or modified source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.

14. ARM 17.8.765 Transfer of Permit. This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

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

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modifications-- Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification, with respect to each pollutant subject to regulation under 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 below 250 tons per year of any pollutant (excluding fugitive emissions).

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

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
 - a. PTE > 100 tons/year of any pollutant;
 - b. PTE >10 tons/year of any one hazardous air pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or lesser quantity as the Department may establish by rule; or
 - c. PTE > 70 tons/year of particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) in a serious PM₁₀ nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204(1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #2805-01 for WBI, the following conclusions were made:
 - a. The facility's PTE is less than 100 tons/year for any pollutant.
 - b. The facility's PTE is less than 10 tons/year for any one HAP and less than 25 tons/year of combined HAPs.
 - c. This source is not located in a serious PM₁₀ nonattainment area.
 - d. This facility may become subject to current NSPS 40 CFR 60, Subpart JJJJ.
 - e. This facility may become subject to 40 CFR 63, Subpart ZZZZ.

- f. This source is not a Title IV affected source, or 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 the Morgan Creek Compressor Station is a minor source of emissions as defined under Title V.

III. BACT Determination

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

A BACT analysis was not required for the current permit action because the current permit action is considered an administrative permit action.

IV. Emission Inventory

Source	Tons/Year				
	PM ₁₀	NO _x	VOC	CO	SO _x
800-hp Superior 8G-825 (Unit #1)	0.28	15.42	7.71	23.13	0.02
800-hp Superior 8G-825 (Unit #2)	0.28	15.42	7.71	23.13	0.02
800-hp Superior 8G-825 (Unit #3)	0.28	15.42	7.71	23.13	0.02
Eclipse Plant Boiler	0.07	0.62	0.07	0.13	0.00
Misc. Heaters	0.05	0.41	0.05	0.18	0.00
Total	0.98	47.28	23.24	69.68	0.05

A complete emissions inventory is on file with the Department.

V. Existing Air Quality

The air quality of this area is classified as either better than National Standards or unclassifiable/attainment for the National Ambient Air Quality Standards (NAAQS) for criteria pollutants.

VI. Ambient Air Impact Analysis

The current permit action is an administrative permit action; therefore, the Department did not conduct an ambient air impact analysis.

VI. Taking and Damaging Implication Analysis

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

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

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

VIII. Environmental Assessment

This permitting action will not result in an increase of emissions from the facility and is considered an administrative action; therefore, an Environmental Assessment is not required.

Analysis Prepared By: Skye Hatten

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