DEQ
Montana Department of Environmental Quality

Air, Energy, & Mining Division

April 7, 2017

Jenifer Rather, GPHR
Kenyon Noble Ready-Mix
P.O. Box 1387
Bozeman, MT 59771

Dear Ms. Rather:

Montana Air Quality Permit #4873-02 is deemed final as of April 7, 2017, by the Department of Environmental Quality (Department). This permit is for a Portable Crushing/Screening Facility. 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 A. Merkel
Permitting Services Section Supervisor
Air Quality Bureau
(406) 444-3626

John P. Proulx
Environmental Science Specialist
Air Quality Bureau
(406) 444-5391

JM:JP
Enclosure

Montana Department of Environmental Quality
Air, Energy, and Mining Division

Montana Air Quality Permit #4873-02

Kenyon Noble Ready-Mix
P.O. Box 1387
Bozeman, MT 59771

April 7, 2017

MONTANA AIR QUALITY PERMIT

Issued To: Kenyon Noble Ready-Mix
P.O. Box 1387
Bozeman, MT 59771-1387

Permit #4873-02
Administrative Amendment (AA)
Request Received: 03/01/2017
Department Decision on AA: 03/22/2017
Permit Final: 04/07/2017
AFS #: 777-4873

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to Kenyon Noble Ready-Mix (Kenyon Noble) 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

Kenyon Noble operates a gravel crushing and screening facility located in Township 1 South, Range 4 West, in Section 23 in Gallatin County, Montana. MAQP #4873-02 applies while operating at any location in Montana, except those areas having a Department of Environmental Quality (Department) approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}) nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* An addendum will be required for locations in or within 10 km of certain PM_{10} nonattainment areas.

B. Current Permit Action

On March 1, 2017, the Department of Environmental Quality (Department) received an administrative amendment request from Kenyon Noble to remove equipment from Montana Air Quality Permit (MAQP) #2715-05 and transfer it to MAQP #4873. Kenyon Noble also requested that a new crusher be added to the inventory under ARM 17.8.745 – Exclusion for De Minimis Changes. A detailed list of equipment can be seen in Section I.A. of the permit analysis.

SECTION II: Conditions and Limitations

A. Emission Limitations

1. All visible emissions from any Standards of Performance for New Stationary Sources (NSPS)-affected crusher shall not exhibit an opacity in excess of the following averaged over 6 consecutive minutes (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

   - For crushers that commence construction, modification, or reconstruction on or after April 22, 2008: 12% opacity

- For crushers that commence construction, modification, or reconstruction after August 31, 1983, but before April 22, 2008: 15% opacity

2. All visible emissions from any other NSPS-affected equipment, other than a crusher (such as screens or conveyor transfers), shall not exhibit an opacity in excess of the following averaged over 6 consecutive minutes (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

   - For equipment that commences construction, modification, or reconstruction on or after April 22, 2008: 7% opacity

   - For equipment that commences construction, modification, or reconstruction after August 31, 1983, but before April 22, 2008: 10% opacity

3. All visible emissions from any non-NSPS affected equipment shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8. 304).

4. Water and spray bars shall be available on site at all times and operated, as necessary, to maintain compliance with the opacity limitations in Sections II.A.1, II.A.2, and II.A.3 (ARM 17.8.752).

5. Kenyon Noble shall not cause or authorize to be discharged into the atmosphere from any street, road, or parking lot any visible fugitive emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.308 and ARM 17.8.752).

6. Kenyon Noble shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation in Section II.A.5 (ARM 17.8.749).

7. Kenyon Noble shall not operate more than three crushers with the maximum rated design capacity not exceeding 740 tons per hour (TPH) (ARM 17.8.749).

8. Kenyon Noble shall not operate more than two screens with the combined maximum rated design capacity not exceeding 200 TPH (ARM 17.8.749).

9. The combined rating of the engines (directly driving crushers, screens, conveyors, etc.) shall not exceed 1,133 hp at any time (ARM 17.8.749).

10. The total hours of each diesel-fired engine that may be used under this permit shall be limited to 1,500 hours of operation during any rolling 12-month time period (ARM 17.8.749).

11. If the permitted equipment is used in conjunction with any other equipment owned or operated by Kenyon Noble, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).

12. Kenyon Noble shall comply with all applicable standards and limitations, and the reporting, recordkeeping, testing, and notification requirements contained in 40 CFR 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* and 40 CFR 63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines,* for any applicable diesel engine (ARM 17.8.340; 40 CFR 60, Subpart IIII; ARM 17.8.342 and 40 CFR 63, Subpart ZZZZ).

13. Kenyon Noble shall comply with all applicable standards and limitations, and the reporting, recordkeeping, testing, and notification requirements contained in 40 CFR 60, Subpart OOO, *Standards of Performance for Nonmetallic Mineral Processing Plants* (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

B. Testing Requirements

1. Within 60 days after achieving maximum production, but no later than 180 days after initial start-up, an Environmental Protection Agency (EPA) Method 9 opacity test and/or other methods and procedures, as specified in 40 CFR 60.675 must be performed on all NSPS affected equipment to demonstrate compliance with the emission limitations contained in Sections II.A.1 and II.A.2 (ARM 17.8.340 and 40 CFR 60, Subpart A and Subpart OOO).

2. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).

3. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this crushing/screening plant is moved to another location, an Intent to Transfer Form must be sent to the Department and a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.749 and ARM 17.8.765).

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

4. Kenyon Noble 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 Kenyon Noble as a permanent business record for at least 5 years following the date of the measurement, must be available for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).

5. Kenyon Noble shall document, by month, the hours of operation of each diesel engine/generator. By the 25th of each month, Kenyon Noble shall calculate the hours of operation of each diesel engine/generator. The monthly information will be used to demonstrate compliance with the rolling 12-month limitation in Section II.A.10. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

D. Notification

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

SECTION III: General Conditions

A. Inspection – Kenyon Noble shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (Continuous Emission Monitoring Systems (CEMS) or Continuous Emission Rate Monitoring Systems (CERMS)), or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.

B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if Kenyon Noble fails to appeal as indicated below.

C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving Kenyon Noble of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided for in ARM 17.8.740, *et seq.* (ARM 17.8.756).

D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement 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 Department personnel at the location of the permitted source.

G. Permit Fee - Pursuant to Section 75-2-220, MCA, failure to pay of the annual operation fee by Kenyon Noble may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.

H. Duration of Permit - Construction or installation must begin or contractual obligations entered into that would constitute substantial loss within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall expire (ARM 17.8.762).

I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.

J. Kenyon Noble shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas that have a Department-approved permitting program or areas considered tribal lands.

Montana Air Quality Permit (MAQP) Analysis
Kenyon Noble Ready-Mix
MAQP #4873-02

I. Introduction/Process Description

A. Permitted Equipment

MAQP #4873-02 allows the operation of a single crusher with associated integral screen deck, a second independent screen, and up to 1,133 total horsepower (hp) as determined by all diesel-fired engines on site. The other equipment includes a feeder and three conveyors. A limit was taken on total facility operating hours to keep the total oxides of nitrogen (NO_x) emissions below the modeling threshold. The main permitted equipment is listed below. This permit is written to allow Kenyon Noble Ready-Mix (Kenyon Noble) to use alternate diesel-fired engines as long as the total hp rating of the units does not exceed that noted below.

- Feed Hopper
- Cedar Rapids Jaw Crusher rated up to 340 tph
- Norberg HP Cone Crusher rated up to 300 tph
- Crusher with associated integral vibrating screen rated up to 100 tph
- Second independent vibrating screen rated up to 100 tph
- Up to 1,133 hp as rated by all diesel-fired engines
- Total of 3 conveyors

The permit application was assigned Permit #4783-02 and will apply to the source while operating in any location in the State of Montana, except those areas having a Montana Department of Environmental Quality (Department) approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM10) nonattainment areas. A Missoula County air quality permit will be required for locations within Missoula County, Montana. An addendum will be required for locations in or within 10 km of certain PM_{10} nonattainment areas. A list of permitted equipment is provided within Section I.A of the permit analysis.

B. Source Description

Kenyan Noble Ready-Mix (Kenyan Noble) proposes to use this crushing/screening plant and associated equipment to crush and screen rock material for use as a raw material. For a typical operational setup, materials are first loaded into the feed hopper, screened at the inlet to the crusher, with larger material recycled for additional crushing with product transferred to storage piles. Diesel-fired engines provide the on-site power for all permitted equipment.

Kenyon Noble's initial location is the home pit and is located at 45.734 latitude and -111.202 West longitude. The township, range, section description is Township 1 South, Range 4 West in Section 23 in Gallatin County, Montana.

C. Permit History

Portable Inc. was issued **MAQP #4873-00** on March 3, 2013, for the operation of a single crusher with associated integral screen deck, a second independent screen deck, and up to 1,133 total horsepower (hp) as determined by all diesel-fired engines on site. Each of the two screens is a vibrating screen. The other equipment includes a feeder and three conveyors.

On October 23, 2015, the Department received a request from Kenyon Noble Ready-Mix to change the name from Portable Inc., to the current legal name of Kenyon Noble Ready-Mix and to update contact information. The permit action reflects this change and updated the permit language to current permit language and rule references. **MAQP#4873-01** replaced MAQP#4873-00.

D. Current Permit Action

On March 1, 2017, the Department of Environmental Quality (Department) received an administrative amendment request from Kenyon Noble to transfer equipment from MAQP #2715 to MAQP #4873. Kenyon Noble requested that the 1998 Cedar Rapids Jaw Crusher be transferred from MAQP #2715 to MAQP #4873. Kenyon Noble also requested the addition of a new 2014 Norberg HP 300 Cone Crusher under Administrative Rules of Montana (ARM) 17.8.745 – Exclusion for De Minimis Changes. **MAQP #4873-02** replaces MAQP #4873-01

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 locations of complete copies of all applicable rules and regulations or copies where appropriate.

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

1. ARM 17.8.101 Definitions. This rule includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.

2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.

3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to 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). Kenyon Noble shall comply with the requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than 4 hours.

5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

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

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

Kenyon Noble 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, Kenyon Noble shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.

3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.

4. ARM 17.8.310 Particulate Matter, Industrial Processes. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.

5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this section.

6. ARM 17.8.324 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 Standards of Performance for New Stationary Sources. This rule incorporates, by reference, 40 Code of Federal Regulations (CFR) Part 60, Standards of Performance for New Stationary Sources (NSPS). Kenyon Noble is considered an NSPS affected facility under 40 CFR Part 60 and is subject to the requirements of the following subparts.

   a. 40 CFR 60, Subpart A. – General Provisions apply to all equipment of facilities subject to an NSPS Subpart as listed below.

   b. 40 CFR 60, Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. Owners and operators of stationary compression ignition internal combustion engines (CI ICE) that commence construction after July 11, 2005, where the stationary CI ICE are manufactured after April 1, 2006, and are not fire pump engines, are subject to this subpart. Based on the information submitted to the Department, the diesel engine to be used under MAQP #4873-02 is potentially subject to this subpart if it is determined to not be a non-road engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition). Engines that are added in the future may also be subject to this subpart.

8. 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 of facilities subject to a National Emissions Standard for Hazardous Air Pollutants (NESHAP) Subpart as listed below:

b. 40 CFR 63, Subpart ZZZZ – NESHAPs for Stationary Reciprocating Internal Combustion Engines (RICE). An owner or operator of a stationary reciprocating internal combustion engine (RICE) at a major or area source of HAP emissions is subject to this rule except if the stationary RICE is being tested at a stationary RICE test cell/stand. An area source of HAP emissions is a source that is not a major source. A RICE is considered stationary if it 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. Based on the information submitted, the RICE equipment to be used under this permit may be subject to this subpart because they operate at an area source of HAP emissions and the engine may remain at the same home pit location for more than 12 consecutive months.

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

1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. 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

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

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

1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.

2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain an air quality permit or permit modification to construct, modify or use any facility with a potential to emit (PTE) of greater than 15 tons per year (TPY) of any pollutant. Kenyon Noble has a PTE greater than 15 TPY of PM_{10} and NO_X; therefore, an MAQP 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. The current permit action is considered an administrative amendment; therefore, a permit application was not required. (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. The current permit action is an administrative amendment, and therefore, did not require publication.

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 Kenyon Noble 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 MAQP 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 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 permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.

14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an MAQP may be transferred from one location to another if the Department receives a complete notice of intent to transfer location, the facility will operate in the new location for less than 1 year, the facility will comply with the FCAA and the Clean Air Act of Montana, and the facility complies with other applicable rules. (2) This rule states that an 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 Modifications--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the FCAA that it would emit, except as this subchapter would otherwise allow.

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

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

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:

a. PTE > 100 TPY of any pollutant;

b. PTE > 10 TPY 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 TPY of PM_{10} in a serious PM_{10} 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 #4873-02 for Portable, the following conclusions were made:

a. The facility's PTE is less than 100 TPY for any pollutant.

b. The facility's PTE is less than 10 TPY for any one HAP and less than 25 TPY of all HAPs.

c. This source is not located in a serious PM_{10} nonattainment area.

d. This facility is potentially subject to area source provisions of current NESHAP standards (40 CFR 63, Subpart ZZZZ).

e. This facility is potentially subject to current NSPS standards (40 CFR 60, Subpart IIII).

f. This source is not a Title IV affected source or a solid waste combustion unit.

g. This source is not an EPA designated Title V source.

Based on these facts, the Department has determined that Kenyon Noble will be a minor source of emissions as defined under Title V. While Kenyon Noble has accepted federally-enforceable limits on annual hours of operation which result in reduced potential emissions, the primary function of these limits is to reduce potential emissions to a level that eliminates the need for the facility to quantitatively demonstrate compliance with ambient air quality standards based on Department policy. By taking these federally-enforceable conditions into account when analyzing the PTE, Kenyon Noble is a true minor source with regards to Title V. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, Kenyon Noble will be required to obtain a Title V Operating Permit.

III. BACT Determination

A BACT determination is required for each new or modified source. Kenyon Noble 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 determination was not required for the current permit action because the permit change is considered an administrative permit change.

V. Emission Inventory

CONTROLLED	tons/year						
Emission Source	**PM**	**PM_{10}**	**$PM_{2.5}$**	**NO_X**	**CO**	**VOC**	**SO_2**
Cold Aggregate Storage Piles	10.68	5.05	0.77	--	--	--	--
Cold Aggregate Handling/Conveyors	1.36	0.45	0.13	--	--	--	--
Cold Aggregate Screens	1.93	0.65	0.04	--	--	--	--
740 TPH Crushing Series	3.89	1.75	0.32	--	--	--	--
Plant Load-Out	2.44	1.24	0.19	--	--	--	--
Haul Roads / Vehicle Traffic	11.37	3.13	0.31	--	--	--	--
1133 hp Diesel Engine Generator	1.87	1.87	1.87	20.39	4.67	2.14	6.87
Total Emissions	**33.54**	**8.00**	**2.69**	**20.39**	**4.67**	**2.14**	**6.87**

Notes:
1. Values in table reflect "controlled" cells from subsequent worksheets

Calculations:

Cold Aggregate Storage Piles

Maximum Process Rate = 740 ton/hr (Maximum plant process rate)	740	**ton/hr**
Maximum Hours of Operation = 8,760 hrs/yr	8760	**hrs/yr**
Number of Piles = 1 piles	1	**piles**
PM Emissions:		
Predictive equation for emission factor provided per AP 42, Sec. 13.2.4.3, 11/06.		
Emission Factor = k (0.0032) * (U/5)^1.3 * (M / 2)^-1.4 = 0.00330 lb/ton	0.0033	**lb/ton**
Where: k = particle size multiplier = 0.74 (Value for PM < 30 microns per AP 42, Sec. 13.2.4.3, 11/06)	0.74	
U = mean wind speed = 8.2 mph (Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)	8.2	**mph**
M = material moisture content = 2.5% (Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)	2.5	**%**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (1 piles) * (ton/2000 lb) * (0.0032961326585007 lb/ton) = 10.68 ton/yr	10.68	**ton/yr**
PM10 Emissions:		
Predictive equation for emission factor provided per AP 42, Sec. 13.2.4.3, 11/06.		
Emission Factor = k (0.0032) * (U/5)^1.3 * (M / 2)^-1.4 = 0.00156 lb/ton	0.00156	**lb/ton**
Where: k = particle size multiplier = 0.35 (Value for PM < 10 microns per AP 42, Sec. 13.2.4.3, 11/06)	0.35	
U = mean wind speed = 8.2 mph (Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)	8.2	**mph**
M = material moisture content = 2.5% (Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)	2.5	**%**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (1 piles) * (ton/2000 lb) * (0.00155898166280438 lb/ton) = 5.05 ton/yr	5.05	**ton/yr**
PM2.5 Emissions:		
Predictive equation for emission factor provided per AP 42, Sec. 13.2.4.3, 11/06.		
Emission Factor = k (0.0032) * (U/5)^1.3 * (M / 2)^-1.4 = 0.00024 lb/ton	0.000236	**lb/ton**
Where: k = particle size multiplier = 0.053 (Value for PM < 2.5 microns per AP 42, Sec. 13.2.4.3, 11/06)	0.053	
U = mean wind speed = 8.2 mph (Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)	8.2	**mph**
M = material moisture content = 2.5% (Average from values provided in AP 42, Sec. 13.2.4.3, 11/06)	2.5	**%**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (1 piles) * (ton/2000 lb) * (0.000236074366081807 lb/ton) = 0.77 ton/yr	0.77	**ton/yr**

Conveyor Transfer Point (SCC 3-05-020-06)

Maximum Process Rate = 740 ton/hr (Maximum plant process rate)	740	**ton/hr**
Maximum Hours of Operation = 8,760 hrs/yr	8760	**hrs/yr**
Number of Transfers = 3 transfer (Company Information)	3	**transfer**
Total PM Emissions:		
Emission Factor = 0.00014 lb/ton (0.00014 controlled, AP 42, Table 11.19.2-2, 8/04)	0.00014	**lb/ton**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (3 transfer) * (ton/2000 lb) * (0.00014 lb/ton) = 1.36 ton/yr	1.36	**ton/yr**
Total PM10 Emissions:		
Emission Factor = 0.000046 lb/ton (0.000046 controlled, AP 42, Table 11.19.2-2, 8/04)	0.000046	**lb/ton**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (3 transfer) * (ton/2000 lb) * (0.00014 lb/ton) = 0.45 ton/yr	0.45	**ton/yr**
Total PM2.5 Emissions		
Emission Factor = 0.000013 lb/ton (0.000013 controlled, AP 42, Table 11.19.2-2, 8/04)	0.000013	**lb/ton**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (3 transfer) * (ton/2000 lb) * (0.00014 lb/ton) = 0.13 ton/yr	0.13	**ton/yr**

Screening (SCC 3-05-020-02, 03)

Maximum Process Rate = 100 ton/hr (Maximum plant process rate)	100	**ton/hr**
Maximum Hours of Operation = 8,760 hrs/yr 1752000 tons/year	8,760	**hrs/yr**
Number of Screens = 2 screen(s) (Company Information)	2	**screen(s)**
Total PM Emissions:		
Emission Factor = 0.0022 lb/ton (0.0022 controlled, AP 42, Table 11.19.2-2, 8/04)	0.0022	**lb/ton**
Calculation: (100 ton/hr) * (8760 hrs/yr) * (2 screen(s)) * (ton/2000 lb) * (0.0022 lb/ton) = 1.93 ton/yr	1.93	**ton/yr**
Total PM10 Emissions:		
Emission Factor = 0.00074 lb/ton (0.00074 controlled, AP 42, Table 11.19.2-2, 8/04)	0.00074	**lb/ton**
Calculation: (100 ton/hr) * (8760 hrs/yr) * (2 screen(s)) * (ton/2000 lb) * (0.0022 lb/ton) = 0.65 ton/yr	0.65	**ton/yr**
Total PM2.5 Emissions		
Emission Factor = 0.00005 lb/ton (0.000050 controlled, AP 42, Table 11.19.2-2, 8/04)	0.00005	**lb/ton**
Calculation: (100 ton/hr) * (8760 hrs/yr) * (2 screen(s)) * (ton/2000 lb) * (0.0022 lb/ton) = 0.04 ton/yr	0.04	**ton/yr**

Crushing Series (SCC 3-05-020-05)

Maximum Process Rate = 740 ton/hr (Maximum plant process rate)	740	**ton/hr**
Maximum Hours of Operation = 8,760 hrs/yr	8760	**hrs/yr**
PM Emissions:		
Based on AP-42		
Emission Factor = 0.0012 lb/ton (crushing, AP 42, Table 11.19.2-2, 8/04)	0.0012	**lb/ton**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (0.0012 lb/ton) * (ton/2000 lb) = 3.89 ton/yr	3.89	**ton/yr**
PM10 Emissions:		
Based on AP-42		
Emission Factor = 0.00054 lb/ton (crushing, AP 42, Table 11.19.2-2, 8/04)	0.00054	**lb/ton**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (0.00054 lb/ton) * (ton/2000 lb) = 1.75 ton/yr	1.75	**ton/yr**
PM2.5 Emissions:		

Emission Factor = 0.0001 lb/ton (crushing, AP 42, Table 11.19.2-2, 8/04)	0.0001	**lb/ton**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (0.0001 lb/ton) * (ton/2000 lb) = 0.32 ton/yr	0.32	**ton/yr**

Truck Unloading (SCC 3-05-020-31)

Maximum Process Rate = 740 ton/hr (Maximum plant process rate)	740	**ton/hr**
Maximum Hours of Operation = 8,760 hrs/yr	8760	**hrs/yr**
Number of loads = 24 loads (Estimate)	24	**loads**
Total PM Emissions:		
Emission Factor = 0.0000314 lb/ton (PM=PM10 / 51%, AP-42, Appendix B.2, Table B.2.2, Category 3, 9/90)	0.0000314	**lb/ton**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (0.0000314 lb/ton) * (ton/2000 lb) * (24 loads) = 2.44 ton/yr	2.44	**ton/yr**
Total PM10 Emissions:		
Emission Factor = 0.000016 lb/ton (PM10=1.6E-05, AP 42, Table 11.19.2-2, 8/04)	0.000016	**lb/ton**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (0.000016 lb/ton) * (ton/2000 lb) * (24 loads) = 1.24 ton/yr	1.24	**ton/yr**
Total PM2.5 Emissions:		
Emission Factor = 0.0000024 lb/ton (PM2.5=1.6E-05 * 15%, AP-42, Appendix B.2, Table B.2.2, Category 3, 9/90)	0.0000024	**lb/ton**
Calculation: (740 ton/hr) * (8760 hrs/yr) * (0.0000024 lb/ton) * (ton/2000 lb) * (24 loads) = 0.19 ton/yr	0.19	**ton/yr**

Haul Roads

Vehicle Miles Traveled (VMT) per Day = 5 VMT/day (Estimate)	5	**VMT/day**
VMT per hour = (5 VMT/day) * (day/24 hrs) = 0.21 VMT/hr	0.2083333 33	**VMT/hr**
Hours of Operation = 8,760 hrs/yr	8760	**hrs/yr**
PM Emissions:		
Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.		
Emission Factor = k * (s / 12)^a * (W / 3)^b = 12.46 lb/VMT	12.46	**lb/VMT**
Where: k = constant = 4.9 lbs/VMT (Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)	4.9	**lbs/VMT**
s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)	7.1	**%**
W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)	54	**tons**
a = constant = 0.7 (Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)	0.7	
b = constant = 0.45 (Value for PM30/TSP, AP 42, Table 13.2.2-2, 11/06)	0.45	
Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (12.46 lb/VMT) * (ton/2000 lb) = 11.37 tons/yr (Uncontrolled Emissions)	11.37	**tons/yr**
PM10 Emissions:		
Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.		
Emission Factor = k * (s / 12)^a * (W / 3)^b = 3.43 lb/VMT	3.43	**lb/VMT**
Where: k = constant = 1.5 lbs/VMT (Value for PM10, AP 42, Table 13.2.2-2, 11/06)	1.5	**lbs/VMT**
s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)	7.1	**%**
W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)	54	**tons**
a = constant = 0.9 (Value for PM10, AP 42, Table 13.2.2-2, 11/06)	0.9	
b = constant = 0.45 (Value for PM10, AP 42, Table 13.2.2-2, 11/06)	0.45	
Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (3.43 lb/VMT) * (ton/2000 lb) = 3.13 tons/yr (Uncontrolled Emissions)	3.13	**tons/yr**
PM2.5 Emissions		
Predictive equation for emission factor for unpaved roads at industrial sites provided per AP 42, Ch. 13.2.2, 11/06.		
Emission Factor = k * (s / 12)^a * (W / 3)^b = 0.34 lb/VMT	0.34	**lb/VMT**
Where: k = constant = 0.15 lbs/VMT (Value for PM2.5, AP 42, Table 13.2.2-2, 11/06)	0.15	**lbs/VMT**

s = surface silt content = 7.1 % (Mean value, sand/gravel processing, material storage area, AP 42, Table 13.2.2-1, 11/06)	7.1	**%**
W = mean vehicle weight = 54 tons (1994 average loaded/unloaded or a 40 ton truck)	54	**tons**
a = constant = 0.9 (Value for PM2.5, AP 42, Table 13.2.2-2, 11/06)	0.9	
b = constant = 0.45 (Value for PM2.5, AP 42, Table 13.2.2-2, 11/06)	0.45	
Calculation: (8760 hrs/yr) * (0.21 VMT/hr) * (0.34 lb/VMT) * (ton/2000 lb) = 0.31 tons/yr (Uncontrolled Emissions)	0.31	**tons/yr**

Diesel Engine Generator

Note: Emissions are based on the power output of the engine (1133 hp).		
Operational Capacity of Engine = 1,133 hp	1133	**hp**
Hours of Operation = 1,500.00 hours	1500	**hours**
PM Emissions:		
PM Emissions = 1.87 ton/yr (Assume all PM < 1.0 um)	1.87	**ton/yr**
PM Emissions = 3,738.90 lbs/yr (Assume all PM < 1.0 um)	3738.9	**lbs/yr**
PM-10 Emissions:		
Emission Factor = 0.0022 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)	0.0022	**lbs/hp-hr**
Calculation: (1,133 hp) * (1,500 hours) * (0.0022 lbs/hp-hr) * (ton/2000 lb) = 1.87 ton/yr	1.87	**ton/yr**
Calculation: (1,133 hp) * (1,500 hours) * (0.0022 lbs/hp-hr) = 3,738.90 lbs/yr	3738.9	**lbs/yr**
PM2.5 Emissions		
Emission Factor = 0.0022 lbs/hp-hr (Assume all PM < 1.0 um)	0.0022	**lbs/hp-hr**
Calculation: (1,133 hp) * (1,500 hours) * (0.0022 lbs/hp-hr) * (ton/2000 lb) = 1.87 ton/yr (Assume all PM < 1.0 um)	1.87	**ton/yr**
Calculation: (1,133 hp) * (1,500 hours) * (0.0022 lbs/hp-hr) = 3,738.90 lbs/yr	3738.9	**lbs/yr**
NOx Emissions:		
Emission Factor = 0.024 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)	0.024	**lbs/hp-hr**
Calculation: (1,133 hp) * (1,500 hours) * (0.024 lbs/hp-hr) * (ton/2000 lb) = 20.39 ton/yr	20.39	**ton/yr**
Calculation: (1,133 hp) * (1,500 hours) * (0.024 lbs/hp-hr) = 40,788.00 lbs/yr	40788	**lbs/yr**
CO Emissions:		
Emission Factor = 0.0055 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)	5.50E-03	**lbs/hp-hr**
Calculation: (1,133 hp) * (1,500 hours) * (0.0055 lbs/hp-hr) * (ton/2000 lb) = 4.67 ton/yr	4.67	**ton/yr**
Calculation: (1,133 hp) * (1,500 hours) * (0.0055 lbs/hp-hr) = 9,347.25 lbs/yr	9347.25	**lbs/yr**
VOC Emissions:		
Emission Factor = 0.0025141 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, TOC, Exhaust & Crankcase, 10/96)	0.00251	**lbs/hp-hr**
Calculation: (1,133 hp) * (1,500 hours) * (0.0025141 lbs/hp-hr) * (ton/2000 lb) = 2.14 ton/yr	2.14	**ton/yr**
Calculation: (1,133 hp) * (1,500 hours) * (0.0025141 lbs/hp-hr) = 4,272.71 lbs/yr	4272.7129 5	**lbs/yr**
SOx Emissions:		
Emission Factor = 0.00809 lbs/hp-hr (AP-42, Sec. 3.3, Table 3.3-1, 10/96)	8.09E-03	**lbs/hp-hr**
Calculation: (1,133 hp) * (1,500 hours) * (0.00809 lbs/hp-hr) * (ton/2000 lb) = 6.87 ton/yr	6.87	**ton/yr**
Calculation: (1,133 hp) * (1,500 hours) * (0.00809 lbs/hp-hr) = 13,748.96 lbs/yr	13748.955	**lbs/yr**

V. Existing Air Quality

Kenyon Noble's initial location is the home pit and is located at 45.734 latitude and -111.202 longitude. The township, range, section description is Township 1 South, Range 4 East in Section 23 in Gallatin County, Montana. This location and those areas for which this facility is permitted to operate under MAQP #4873-02 are considered attainment/unclassified for all the National Ambient Air Quality Standards (NAAQS).

VI. Air Quality Impacts

The Department determined that there will be no impacts from this permitting action because this permitting action is considered an administrative action. Therefore, the Department believes this action will not cause or contribute to a violation of any ambient air quality standard.

VII. Ambient Air Impact Analysis

Based on the information provided and the conditions established in MAQP #4873-02, the Department has determined that there will be no impacts from this administrative permitting action. The Department believes it will not cause or contribute to a violation of any ambient air quality standard.

VIII. Taking or Damaging Implication Analysis

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

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

IX. 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: John P. Proulx
Date: March 3, 2017