December 21, 2018

Adam Johnson
EGT, Inc.
1391 Timberlake Manor Parkway
Chesterfield, MO 63017

Dear Mr. Johnson:

Montana Air Quality Permit #3201-01 is deemed final as of December 20, 2018, by the Department of Environmental Quality (Department). This permit is for a grain elevator. 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

Rhonda Payne
Air Quality Specialist
Air Quality Bureau
(406) 444-5287

JM:RP
Enclosure

Montana Department of Environmental Quality
Air, Energy & Mining Division

Montana Air Quality Permit #3201-01

EGT, Inc.
1391 Timberlake Manor Parkway
Chesterfield, MO
63017

December 20, 2018

MONTANA AIR QUALITY PERMIT

Issued To: EGT, LLC
1391 Timberlake Manor Parkway
Chesterfield, MO
63017

MAQP: #3201-01
Administrative Amendment (AA)
Request Received: 11/5/18
Department's Decision on AA: 12/4/18
Permit Final: 12/20/18

An air quality permit, with conditions, is hereby granted to the EGT, LLC-Sidney Elevator (EGT), 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

EGT's grain elevator is located on a 50-acre land parcel approximately 1-mile northeast of Sidney, Montana, and approximately 0.75 miles east of Highway 200. The legal description of the facility is the Northwest ¼ of Section 27, Township 23 North, Range 59 East, in Richland County, Montana.

B. Current Permit Action

On November 5, 2018, the Department of Environmental Quality (Department) received an intent to transfer ownership from Busch Agricultural Resource, Inc. to EGT, LLC. This permitting action makes the requested transfer and updates permit conditions and rule references to those currently used by the Department.

SECTION II: Conditions and Limitations

A. Operational Limitations

1. EGT shall operate and maintain the baghouse pollution control equipment in accordance with manufacturer instructions (ARM 17.8.752).

2. EGT shall not cause or authorize emissions to be discharged into the outdoor atmosphere that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).

3. EGT shall not cause or authorize the use of any street, road, or parking area without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).

4. EGT shall treat all unpaved portions of the haul roads, access roads, and the general plant property with water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation in Section II.A.3 (ARM 17.8.749).

5. Grain loadout shall not exceed 14,000,000 bushels during any rolling 12-month time period (ARM 17.8.749).

B. Testing Requirements

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

2. The Department may require testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. EGT 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 equipment list 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, and/or to verify compliance with permit limitations (ARM 17.8.505).

2. EGT 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).

3. EGT shall document, by month, the total process throughput from the truck and/or rail grain loadout. By the 25th of each month, EGT shall total the process throughput from the truck and/or rail grain loadout during the previous 12 months to verify compliance with the limitation in Section II.A.5. A written report of the compliance verification shall be submitted along with the annual emissions inventory (ARM 17.8.749).

4. All records compiled in accordance with this permit must be maintained by EGT 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 – EGT 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 such as Continuous Emission Monitoring Systems (CEMS) or Continuous Emissions Rate Monitoring

System (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 EGT fails to appeal as indicated below.

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

D. Enforcement – Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401, *et seq.*, MCA.

E. Appeals – Any person or persons 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. Air Quality Operation Fees – Pursuant to Section 75-2-200, MCA, failure to pay the annual operation fee by EGT 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
EGT, LLC
MAQP #3201-01

I. Introduction/Process Description

EGT, LLC (EGT) owns and operates a grain elevator facility, referred to as the Sidney Elevator. EGT's grain elevator is located on a 50-acre land parcel approximately 1-mile northeast of Sidney, Montana, and approximately 0.75 miles east of Highway 200. The legal description of the facility is the Northwest ¼ of Section 27, Township 23 North, Range 59 East, in Richland County, Montana.

A. Permitted Equipment

Equipment used at this facility includes, but is not limited to, the following: grain receiving Pit #1 (12,500 bushels per hour (bu/hr)), grain receiving Pit #2 (12,500 bu/hr), grain handling equipment (25,000 bu/hr), grain silo storage bin(s) (500,000 bu), grain loadout equipment (25,000 bu/hr), and dust control systems (baghouse).

B. Source Description

The Sidney grain elevator facility is designed to receive and store grain from local farmers prior to shipment to a malt plant. The storage capacity of the facility is approximately 500,000 bushels. Typically, the facility receives grain via truck and/or railcar. Each truck and railcar is weighed and a sample of the inbound grain will be obtained and analyzed to ensure the grain meets quality specifications. Once the grain is approved, the trucks and/or railcars proceed to the appropriate elevator dump pit (i.e., Pit #1 and Pit#2) to be unloaded. During unloading, particulate matter emissions from the unloading operation are collected and routed to a baghouse to control air emissions. Once unloaded, the grain is conveyed to the distributor where it will be delivered to the appropriate storage silo/tank. For shipment to the malt plant, the grain is removed from the storage tanks using enclosed conveyors that elevate the grain back to the distributor where the trucks and/or railcar are loaded. Particulate emissions are controlled from the grain unloading and handling procedures using a baghouse.

C. Permit History

MAQP #3201-00 was issued on July 31, 2002 to Busch Agricultural Resources, Inc. for the operation of the Sidney Elevator.

D. Current Permit Action

On November 5, 2018, the Department of Environmental Quality (Department) received an intent to transfer ownership from Busch Agricultural Resource, Inc. to EGT, LLC. This permitting action makes the requested transfer and updates the permit conditions and rule references to those currently used by the Department. **MAQP #3201-01** replaces MAQP #3201-00.

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 section 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 emissions 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).

   EGT 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 in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner that a public nuisance is created.

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

1. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
2. ARM 17.8.223 Ambient Air Quality Standard for PM_{10}
3. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
4. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
5. ARM 17.8.213 Ambient Air Quality Standard for Ozone
6. ARM 17.8.214 Ambient Air Quality Standard for Hydrogen Sulfide
7. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
8. ARM 17.8.221 Ambient Air Quality Standard for Visibility
9. ARM 17.8.222 Ambient Air Quality Standard for Lead
10. ARM 17.8.223 Ambient Air Quality Standard for PM10
11. ARM 17.8.230 Fluoride in Forage

EGT 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 an 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 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter. (2) Under this rule, EGT 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 17.8.310 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.

4. 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.

5. ARM 17.8.340 Standard of Performance for New Stationary Sources and Emission Guidelines for Existing Sources. This rule incorporates, by reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS). 40 CFR 60, Subpart DD, Standards of Performance for Grain Elevators, indicates that grain terminal elevators that have a storage capacity of more than 2.5 million U.S. bushels are subject to the requirements of this subpart. EGT does not have a permanent storage capacity of 2.5 million bushels or more; therefore, NSPS Subpart DD does not apply to this facility.

6. ARM 17.8.342 Emission Standards for Hazardous Air Pollutants for Source Categories. This rule incorporates, by reference, 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories. This

facility is not a NESHAP-affected source because it does not meet the definition of any NESHAPs Subpart defined in 40 CFR Part 63.

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. EGT has submitted the appropriate permit application fee.

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. This air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

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

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

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

2. ARM 17.8.743 Montana Air Quality Permits - When Required. This rule requires a person to obtain an air quality permit or permit modification to construct, modify, or use any air contaminant sources which have the potential to emit (PTE) greater than 25 tons per year of any pollutant. EGT has the potential to emit greater than 25 tons per year of PM and PM_{10}; therefore, a 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 Condition for Issuance or Denial of Permit. This rule requires that 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 a Best Available Control Technology (BACT) shall be utilized. The required BACT analysis is found 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 EGT 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 FCSS, 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 because 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 an air quality permit may be transferred from one person to another if a written notice of Intent to Transfer, including the names of the transferor and transferee, is sent to the Department.

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

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.

2. ARM 17.8.818 Review of Major Stationary Sources and Major Modification--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the Federal Clean Air Act (FCAA) that it would emit, except as this sub-chapter would otherwise allow.

   This facility is not a major stationary source because it is not a listed source and does not have the potential to emit more than 250 tons per year of any air pollutant (excluding fugitive emissions).

III. BACT Determination

A BACT determination is required for each new or modified source. EGT 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

Estimates of potential emissions from the grain elevator facility near Sidney, Montana.

Air Pollutants (ton/year)						
Source	PM	PM_{10}	NO_x	VOC	CO	SO_2
Grain Unloading Pit #1	3.8	1.2	---	---	---	---
Grain Unloading Pit #2	0.7	0.2	---	---	---	---
Grain Handling	2.6	1.4	---	---	---	---
Grain Loadout	18	12.3	---	---	---	---
Total Potential Emissions	25.1	15.1	na	na	na	na

na = *not applicable*

Grain Unloading Pit #1

Maximum Annual Throughput = 14,000,000 bu/year
Approximate Product Density = 59.73 lb/bu
Approximate Process Rate = 59.73 lb/bu * 14.0 x 10^6 bu/yr * 1 ton/2000 lb = 418,110 ton/yr

PM Emissions:
Emission Factor = 0.18 lb/ton {AP-42, Table 9.9.1-1, 5/98, Straight Truck}
Estimated Control Efficiency = 90% {Baghouse-Permit Application}
Calculations: 418,110 ton/yr * 0.18 lb/ton * (1 – 0.90) * 1 ton / 2,000 lb = 3.8 ton/yr

PM_{10} Emissions:
Emission Factor = 0.059 lb/ton {AP-42, Table 9.9.1-1, 5/98, Straight Truck}
Estimated Control Efficiency = 90% {Baghouse-Permit Application}
Calculations: 418,110 ton/yr * 0.059 lb/ton * (1 – 0.90) * 1 ton / 2,000 lb = 1.2 ton/yr

Grain Unloading Pit #2

Maximum Annual Throughput = 14,000,000 bu/year
Approximate Product Density = 59.73 lb/bu
Approximate Process Rate = 59.73 lb/bu * 14.0 x 10^6 bushel/yr * 1 ton/2000 lb = 418,110 ton/yr

PM Emissions:
Emission Factor = 0.032 lb/ton {AP-42, Table 9.9.1-1, 5/98, Rail}
Estimated Control Efficiency = 90% {Baghouse-Permit Application}
Calculations: 418,110 ton/yr * 0.032 lb/ton * (1 – 0.90) * 1 ton / 2,000 lb = 0.7 ton/year

PM_{10} Emissions:
Emission Factor = 0.0078 lb/ton {AP-42, Table 9.9.1-1, 5/98, Rail}
Estimated Control Efficiency = 90% {Baghouse-Permit Application}
Calculations: 418,110 ton/yr * 0.059 lb/ton * (1 – 0.90) * 1 ton / 2,000 lb = 0.2 ton/yr

Grain Handling

Maximum Annual Throughput = 28,000,000 bu/year
Approximate Product Density = 59.73 lb/bu
Approximate Process Rate = 59.73 lb/bu * 28.0 x 10^6 bu/yr * 1 ton/2000 lb = 836,220 ton/yr

PM Emissions:
Emission Factor = 0.061 lb/ton {AP-42, Table 9.9.1-1, 5/98}
Estimated Control Efficiency = 90% {Baghouse}
Calculations: 836,220 ton/yr * 0.061 lb/ton * (1-0.90) * 1 ton / 2,000 lb = 2.6 ton/yr

PM_{10} Emissions:
Emission Factor = 0.034 lb/ton {AP-42, Table 9.9.1-1, 5/98}
Estimated Control Efficiency = 90%

Calculations: 836,220 ton/yr * 0.034 lb/ton * (1-0.90) 1 ton / 2,000 lb = 1.4 ton/yr

Grain Loadout

Maximum Annual Throughput = 14,000,000 bu/yr
Approximate Product Density = 59.73 lb/bu
Approximate Process Rate = 59.73 lb/bu * 28.0 x 10^6 bu/yr * 1 ton/2000 lb = 418,110 ton/yr

PM Emissions:
Emission Factor = 0.086 lb/ton {AP-42, Table 9.9.1-1, 5/98, Truck}
Estimated Control Efficiency = 0% {Permit Application}
Calculations: 418,110 ton/yr * 0.086 lb/ton * 1 ton / 2,000 lb = 18 ton/year

PM_{10} Emissions:
Emission Factor = 0.029 lb/ton {AP-42, Table 9.9.1-1, 5/98, Truck}
Estimated Control Efficiency = 0% {Permit Application}
Calculations: 418,110 ton/yr * 0.059 lb/ton * 1 ton / 2,000 lb = 12.3 ton/yr

V. Existing Air Quality

The Sidney Elevator is located in the Northwest ¼ of Section 27, Township 23 North, Range 59 East, in Richland County, Montana. This area is considered attainment for all criteria pollutants.

VI. Ambient Air Impact Analysis

The area surrounding the proposed facility is predominantly agricultural and rural in nature. The emissions from the proposed facility would be intermittent and seasonal in nature with generally good dispersion characteristics in the area. Based on the information provided and the conditions established in MAQP #3201-01, the Department determined there will be no impact from this action as it is an administrative amendment. The Department believes it will not cause or contribute to a violation of any ambient air quality standard.

VII. Taking or Damaging Implication Analysis

As required by 2-10-101 through 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

YES	NO	
		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)

VII. 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: R. Payne
Date: November 28, 2018