



Montana Department of
ENVIRONMENTAL QUALITY

Brian Schweitzer, Governor

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September 2, 2010

Mr. Jerry Hanley
J Hanley Const Co
2461 M West Rd
Worden, MT 59088

Dear Mr. Hanley:

Montana Air Quality Permit #4567-00 is deemed final as of September 2, 2010, by the Department of Environmental Quality (Department). This permit is for a portable crushing and screening operation. 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,

Vickie Walsh
Air Permitting Program Supervisor
Air Resources Management Bureau
(406) 444-9741

Shawn Juers
Environmental Engineer
Air Resources Management Bureau
(406) 444-2049

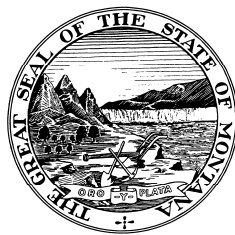
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Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Montana Air Quality Permit #4567-00

J Hanley Const Co
2461 M West Rd
Worden, MT 59088

September 2, 2010



MONTANA AIR QUALITY PERMIT

Issued To: J Hanley Const Co
2461 M West Rd
Worden, MT 59088

MAQP: #4567-00
Application Complete: 6/23/2010
Preliminary Determination Issued: 7/30/2010
Department's Decision Issued: 8/17/2010
Permit Final: 9/2/2010
AFS #: 777-4567

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to J Hanley Const Co (J Hanley) 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. Permitted Equipment

J Hanley proposes to operate the following equipment:

- One (1) 350 tons per hour (TPH) Cone Crusher
- Eight (8) Conveyors
- Two (2) Radial Stackers
- One generator engine with a maximum rating of 896 horsepower (hp)
- Associated Equipment
- One 350 TPH Screen listed in the application is mobile (self propelled), however, to allow for flexibility, at the applicant's request, an equivalent screen is included in permit conditions.

B. Plant Location

J Hanley proposes to operate a portable crushing and screening operation, which will initially be located at Section 20, Township 2 North, Range 29 East, in Yellowstone County, Montana. However, MAQP #4567-00 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 (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 PM₁₀ nonattainment areas.

SECTION II: Conditions and Limitations

A. Emission Limitations

1. All visible emissions from any Standards of Performance for New Stationary Source (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 000):
 - 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 (such as screens and conveyors) 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 commence construction, modification, or reconstruction on or after April 22, 2008: 7% opacity
 - For equipment that commence 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 17.8.749, ARM 17.8.752).
5. J Hanley shall not cause or authorize the use of any street, road or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).
6. J Hanley 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. J Hanley shall not operate more than one crusher at any given time and the maximum rated design capacity of the crusher shall not exceed 350 TPH (ARM 17.8.749).
8. J Hanley shall not operate more than one screen at any given time and the maximum rated design capacity of the screen shall not exceed 350 TPH (ARM 17.8.749).
9. J Hanley shall not operate more than one diesel engine/generator. The maximum capacity of the engine that drives the generator shall not exceed 896-hp (ARM 17.8.749).
10. The generator engine shall have maximum oxides of nitrogen (NO_x) emissions, as specified by the manufacturer in a specification sheet, of 14.79 lb/hr, or, an engine certified to meet EPA Tier I standards or better. J Hanley shall not operate the generator engine unless the exhaust stack is maintained at a minimum of 20 feet (ft) above ground level (ARM 17.8.749).
11. If the permitted equipment is used in conjunction with any other equipment owned or operated by J Hanley, 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. J Hanley shall comply with all applicable standards and limitations, monitoring, 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).

13. J Hanley shall comply with all applicable standards and limitations, and the reporting, recordkeeping, and notification requirements contained in 40 CFR 60, Subpart III, *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 III; ARM 17.8.342 and 40 CFR 63, Subpart ZZZZ).

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 Section II.A.1 and II.A.2 (ARM 17.8.340 and 40 CFR 60, Subpart A and Subpart OOO). Additional testing may be required by 40 CFR 60 Subpart OOO (ARM 17.8.340 and 40 CFR 60 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. J Hanley 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, and/or to verify compliance with permit limitations (ARM 17.8.505).

3. J Hanley 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 startup or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(l)(d) (ARM 17.8.745).

4. J Hanley 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 J Hanley as a permanent business record for at least 5 years following the date of the measurement, must be available at the plant site for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).
5. J Hanley shall document, by month, the crushing production from the facility. By the 25th day of each month, J Hanley shall calculate the crushing production from the facility for the previous month. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
6. J Hanley shall document, by month, the screening production from the facility. By the 25th day of each month, J Hanley shall calculate the screening production from the facility for the previous month. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
7. J Hanley shall document, by month, the hours of operation of the diesel engine/generator. By the 25th day of each month, J Hanley shall calculate the hours of operation for each diesel engine/generator for the previous month. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

D. Notification

J Hanley shall provide the Department with written notification of the actual start-up date of the crushing/screening operation postmarked within 15 days after the actual start-up date (ARM 17.8.749).

SECTION III: General Conditions

- A. Inspection – J Hanley 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 Emissions Monitoring System (CEMS), 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 J Hanley fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving J Hanley 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. Air Quality Operation Fees – Pursuant to Section 75-2-220, MCA, failure to pay the annual operation fee by J Hanley 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. J Hanley 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
J Hanley Const Co
MAQP #4567-00

I. Introduction/Process Description

J Hanley Const Co (J Hanley) proposes to own and operate a portable crushing and screening facility.

A. Permitted Equipment

J Hanley proposes to operate the following equipment:

- One (1) 350 tons per hour (TPH) Cone Crusher
- Eight (8) Conveyors
- Two (2) Radial Stackers
- One generator engine with a maximum rating of 896 horsepower (hp)
- Associated Equipment
- One 350 TPH Screen listed in the application is mobile (self propelled), however, to allow for flexibility, at the applicant's request, an equivalent screen is included in permit conditions.

B. Source Description

J Hanley proposes to operate the aforementioned equipment to crush and sort sand and gravel like materials for various uses.

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 of Environmental Quality (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).

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

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

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

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

J Hanley 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, J Hanley shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.
4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.

5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. 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 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS). J Hanley is considered an NSPS affected facility under 40 CFR Part 60 and is potentially subject to the requirements of the following subparts.
 - 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 OOO – Standards of Performance for Nonmetallic Mineral Processing Plants. In order for a crushing plant to be subject to this subpart, the facility must meet the definition of an affected facility and, the affected equipment must have been constructed, reconstructed, or modified after August 31, 1983. Based on the information submitted by J Hanley, the portable crushing equipment to be used under MAQP #4567-00 is subject to this subpart because the crushing capacity of the operation is greater than 150 tons per year and construction, modification, or reconstruction has commenced after August 31, 1983.
 - c. 40 CFR 60, Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (CI ICE). Owners and operators of stationary 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, and owners and operators of stationary CI ICE that modify or reconstruct their stationary CI ICE after July 11, 2005, are subject to this subpart. Based on the information submitted by J Hanley, the CI ICE originally permitted to be used under MAQP #4567-00 is not subject to this subpart. However, as this permit is written in a de minimis friendly manner, future engines associated with this permit may be subject to this Subpart.
8. 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. J Hanley is considered a potentially NESHAP-affected facility under 40 CFR Part 63 and may become subject to the requirements of the following subparts.
 - a. 40 CFR 63, Subpart A – General Provisions apply to all equipment or facilities subject to a NESHAPs Subpart as listed below.
 - b. 40 CFR 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants (HAPs) 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. Therefore, if the engine remains on-site for greater than one year, meeting the definition of a stationary RICE, the engine may become subject to this subpart.

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. J Hanley submitted the appropriate permit application fee for the current permit action.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an 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 asphalt plant, crusher or screen that has the potential to emit (PTE) greater than 15 tons per year of any pollutant. J Hanley has a PTE greater than 15 tons per year of oxides of nitrogen (NO_x), carbon monoxide (CO), and particulate matter (PM); 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. J Hanley submitted the required permit application for the current permit action. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. J Hanley submitted an affidavit of publication of public notice for the June 16, 2010, issue of the *Billings Gazette*, a newspaper of general circulation in the Town of Billings in Yellowstone County, as proof of compliance with the public notice requirements.

6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the 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 J Hanley 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 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 Modification--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the FCAA that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source 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 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 MAQP #4567-00 for J Hanley, 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 all HAPs.
 - c. This source is not located in a serious PM₁₀ nonattainment area.
 - d. This facility is subject to current NSPS (40 CFR 60 Subpart OOO).
 - e. This facility is potentially subject to area source provisions of current NESHAP standards (40 CFR 63 Subpart ZZZZ).
 - f. This source is not a Title IV affected source
 - g. This source is not a solid waste combustion unit.
 - h. This source is not an EPA designated Title V source.

Based on these facts, the Department has determined that J Hanley will be a minor source of emissions as defined under Title V. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, J Hanley will be required to obtain a Title V Operating Permit.

III. BACT Determination

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

Diesel Generator Engine:

Any new diesel engine would likely be required to comply with the federal engine emission limitations including, for example, EPA Tier emission standards for non-road engines (40 CFR Part 1039), New Source Performance Standard emission limitations for stationary compression ignition engines (40 CFR 60, Subpart IIII), or National Emissions Standards for Hazardous Air Pollutant Sources for Reciprocating Internal Combustion Engines (40 CFR 63, Subpart ZZZZ). Therefore, the Department has determined that compliance with applicable federal standards constitutes BACT for these engines.

Crushing and Screening and Fugitive Emissions:

J Hanley is required to use water spray bars and water and/or chemical dust suppressant, as necessary, to control particulate emissions. Furthermore, J Hanley is required to comply with 40 CFR 60, Subpart OOO containing opacity limitations. The Department determined that using water spray bars, as proposed by the applicant, to maintain compliance with opacity requirements constitutes BACT for these sources.

The control options selected contain control equipment and control costs comparable to other recently permitted similar sources and are capable of achieving the appropriate emission standards.

IV. Emission Inventory**

Potential To Emit in Tons Per Year J Hanley Const Co – MAQP #4567-00							
Source	PM	PM ₁₀	PM _{2.5}	NO _x	CO	SO _x	VOC
350 TPH Cone Crusher	1.84	0.83	0.15	N/A	N/A	N/A	N/A
350 TPH Screen	3.37	1.13	0.08	N/A	N/A	N/A	N/A
Transfers	1.93	0.63	0.18	N/A	N/A	N/A	N/A
Piles	11.35	5.37	0.81	N/A	N/A	N/A	N/A
Raw Material Unloading	0.02	0.02	ND	N/A	N/A	N/A	N/A
Haul Roads	5.49	1.51	0.15	N/A	N/A	N/A	N/A
Generator Engines	8.63	8.63	8.63	64.78	26.22	8.05	9.87
TOTAL	32.64	18.14	10.01	64.78	26.22	8.05	9.87

**

CO = carbon monoxide

hp = horsepower

N/A = not applicable

ND = no data, likely negligible

NO_x = oxides of nitrogen

PM = particulate matter

PM₁₀ = particulate matter with an aerodynamic diameter of 10 microns or less

PM_{2.5} = particulate matter with an aerodynamic diameter of 2.5 microns or less

SO_x = oxides of sulfur
VOC = volatile organic compounds

Cone Crusher

Maximum Capacity: 350 ton/hr (MAQP 4567-00 Application)
Hours of Operation: 8760 hr/yr

PM Emissions

Emissions Factor: 0.0012 lb/ton (AP-42 Table 11.19.2-2, 08/2004)
Calculations: $0.0012 \text{ lb/ton} * 350 \text{ ton/hr} * 8760 \text{ hr/yr} = 3679.20 \text{ lb/yr}$
 $3679.2 \text{ lb/yr} * 0.0005 \text{ ton/lb} = 1.84 \text{ ton/yr}$

PM₁₀ Emissions

Emissions Factor: 0.00054 lb/ton (AP-42 Table 11.19.2-2, 08/2004)
Calculations: $0.00054 \text{ lb/ton} * 350 \text{ ton/hr} * 8760 \text{ hr/yr} = 1655.64 \text{ lb/yr}$
 $1655.64 \text{ lb/yr} * 0.0005 \text{ ton/lb} = 0.83 \text{ ton/yr}$

PM_{2.5} Emissions

Emissions Factor: 0.0001 lb/ton (AP-42 Table 11.19.2-2, 08/2004)
Calculations: $0.0001 \text{ lb/ton} * 350 \text{ ton/hr} * 8760 \text{ hr/yr} = 306.60 \text{ lb/yr}$
 $306.6 \text{ lb/yr} * 0.0005 \text{ ton/lb} = 0.15 \text{ ton/yr}$

Screen

Maximum Capacity: 350 ton/hr (MAQP 4567-00 Application)
Hours of Operation: 8760 hr/yr

PM Emissions

Emissions Factor: 0.0022 lb/ton (AP-42 Table 11.19.2-2, 08/2004)
Calculations: $0.0022 \text{ lb/ton} * 350 \text{ ton/hr} * 8760 \text{ hr/yr} = 6745.20 \text{ lb/yr}$
 $6745.2 \text{ lb/yr} * 0.0005 \text{ ton/lb} = 3.37 \text{ ton/yr}$

PM₁₀ Emissions

Emissions Factor: 0.00074 lb/ton (AP-42 Table 11.19.2-2, 08/2004)
Calculations: $0.00074 \text{ lb/ton} * 350 \text{ ton/hr} * 8760 \text{ hr/yr} = 2268.84 \text{ lb/yr}$
 $2268.84 \text{ lb/yr} * 0.0005 \text{ ton/lb} = 1.13 \text{ ton/yr}$

PM_{2.5} Emissions

Emissions Factor: 0.00005 lb/ton (AP-42 Table 11.19.2-2, 08/2004)
Calculations: $0.00005 \text{ lb/ton} * 350 \text{ ton/hr} * 8760 \text{ hr/yr} = 153.30 \text{ lb/yr}$
 $153.3 \text{ lb/yr} * 0.0005 \text{ ton/lb} = 0.08 \text{ ton/yr}$

Generator Engines

Maximum Capacity: 896 hp (Caterpillar Info)
Hours of Operation: 8760 hr/yr

PM, PM₁₀, and PM_{2.5} Emissions:

*note: All PM Emissions are assumed to be PM₁₀ and PM_{2.5} Emissions

Emissions Factor: 0.0022 lb/hp-hr (AP-42 Table 3.3-1, 10/1996)
Calculations: 0.0022lb/hp-hr*896hp*8760hr/yr= 17267.71 lb/yr
17267.712lb/yr*0.0005 ton/lb = **8.63 ton/yr**

NO_x Emissions:

Emissions Factor: 14.79 lb/hr (CAT 3412 Generator Engine Info)
Calculations: 14.79lb/hr*8760hr/yr= 129560.4 lb/yr
129560.4lb/yr*0.0005 ton/lb = **64.78 ton/yr**

CO Emissions:

Emissions Factor: 0.00668 lb/hp-hr (AP-42 Table 3.3-1, 10/1996)
Calculations: 0.00668lb/hp-hr*896hp*8760hr/yr= 52431.05 lb/yr
52431.0528lb/yr*0.0005 ton/lb = **26.22 ton/yr**

SO_x Emissions:

Emissions Factor: 0.00205 lb/hp-hr (AP-42 Table 3.3-1, 10/1996)
Calculations: 0.00205lb/hp-hr*896hp*8760hr/yr= 16090.37 lb/yr
16090.368lb/yr*0.0005 ton/lb = **8.05 ton/yr**

VOC Emissions:

Emissions Factor: 0.0025141 lb/hp-hr (AP-42 Table 3.3-1, 10/1996)
Calculations: 0.0025141lb/hp-hr*896hp*8760hr/yr= 19733.07 lb/yr
19733.070336lb/yr*0.0005 ton/lb = **9.87 ton/yr**

Transfer Points

Maximum Capacity: 350 TPH
Hours of Operation: 8760 hr/yr
Number of Transfers: 9 transfers

PM Emissions:

Emissions Factor: 0.00014 lb/ton (AP-42 Table 11.19.2-2, 08/2004)
Calculations: 0.00014lb/ton*350TPH*8760hr/yr= 429.24 lb/yr-transfer
429.24lb/yr-transfer*9transfers*0.0005ton/lb = **1.93 ton/yr**

PM₁₀ Emissions:

Emissions Factor: 0.000046 lb/ton (AP-42 Table 11.19.2-2, 08/2004)
Calculations: 0.000046lb/ton*350TPH*8760hr/yr= 141.036 lb/yr-transfer
141.036lb/yr-transfer*9transfers*0.0005ton/lb = **0.63 ton/yr**

PM_{2.5} Emissions:

Emissions Factor: 0.000013 lb/ton (AP-42 Table 11.19.2-2, 08/2004)
Calculations: 0.000013lb/ton*350TPH*8760hr/yr= 39.858 lb/yr-transfer
39.858lb/yr-transfer*9transfers*0.0005ton/lb = **0.18 ton/yr**

Haul Roads

$$E = k (s/12)^a (W/3)^b$$

E = size-specific emission factor (lb/VMT)

s = surface material silt content (%)

W = mean vehicle weight (tons)

s =	7.1	% (AP-42 Table 13.2.2-1, 11/2006)
k =	0.15	for PM _{2.5} (AP-42 Table 13.2.2-2, 11/2006)
	1.5	for PM ₁₀
	4.9	for PM
W =	50	estimated
a =	0.9	PM _{2.5} and PM ₁₀
	0.7	PM
b =	0.45	
VMT =	5	VMT standard estimate

PM Emissions

Emissions Factor:	12.04	lb/VMT	PM	
Calculations:	12.035994738732	lb/VMT*5VMT=	60.18	lb/day
	60.18	lb/day*0.0005 ton/lb*365day/yr =	10.98	ton/yr
	10.9828451990929	ton/yr*50% control factor =	5.49	ton/yr

PM₁₀ Emissions

Emissions Factor:	3.32	lb/VMT		
Calculations:	3.31735988588915	lb/VMT*5VMT=	16.5868	lb/yr
	16.5868	lb/yr*0.0005 ton/lb*365day/yr=	3.027091	ton/yr
	3.02709089587385	ton/yr*50% control factor =	1.51	ton/yr

PM_{2.5} Emissions

Emissions Factor:	0.331736	lb/VMT		
Calculations:	0.331735989	lb/VMT*5VMT=	1.65868	lb/yr
	1.65868	lb/yr*0.0005 ton/lb*365day/yr=	0.302709	ton/yr
	0.3027090899625	ton/yr*50% control factor =	0.15	ton/yr

Raw Material Handling

Hours of operation: 8760 hr/yr

PM₁₀ Emissions

Emissions Factor:	0.000016	lb/ton	(AP-42 Table 11.19.2-2, 08/2004)	
Calculations:	0.000016	lb/ton*350 ton/hr*8760hr/yr=	49.056	lb/yr
	49.056	lb/yr*0.0005 ton/lb =	0.02	ton/yr

PM Emissions: no data available, => 0.03

PM_{2.5} Emissions: no data, <0.03

Pile Emissions

These calculations account for

1. Loading of aggregate onto storage piles (batch or continuous drop operations).
2. Equipment traffic in storage area.
3. Wind erosion of pile surfaces and ground areas around piles.
4. Loadout of aggregate for shipment or for return to the process stream (batch or continuous drop operations).

*For calculations, one pile at max process rate accounts for the product piles from screen w/ moisture carry over
Reapplication of water on the piles may be required to maintain the moisture content

$$E = k(0.0032) \frac{\left(\frac{U}{5}\right)^{1.3}}{\left(\frac{M}{2}\right)^{1.4}} \text{ (pound [lb]/ton)}$$

where:

E = emission factor
k = particle size multiplier (dimensionless)
U = mean wind speed, meters per second (m/s) (miles per hour [mph])
M = material moisture content (%)

BASED ON AP-42 Chapter 13 - 11/2006

k = 0.74 PM₃₀
0.35 PM₁₀
0.053 PM_{2.5}
U = 9.1 MPH
M = 1.55 Avg. moisture content, AP-42 Table 11.19.2-1 Note b

PM Emissions:

Emissions Factor: 0.0074 lb/ton
Calculations: 0.0074lb/ton*350TPH*8760hr/yr= 22698.06 lb/yr
22698.0615639161lb/yr*0.0005ton/lb = **11.35 ton/yr**

PM₁₀ Emissions:

Emissions Factor: 0.0035 lb/ton
Calculations: 0.0035lb/ton*350TPH*8760hr/yr= 10735.57 lb/yr
10735.569658609lb/yr*0.0005ton/lb = **5.37 ton/yr**

PM_{2.5} Emissions:

Emissions Factor: 0.0005 lb/ton
Calculations: 0.0005lb/ton*350TPH*8760hr/yr= 1625.67 lb/yr
1625.67197687507lb/yr*0.0005ton/lb = **0.81 ton/yr**

V. Ambient Air Impact Analysis

The Department conducted ambient air quality modeling to determine maximum one-hour nitrogen dioxide (NO₂) impacts as it relates to the national ambient air quality standard (NAAQS). Emissions were modeled using actual terrain, with emissions and exhaust

characteristics as stated in the manufacturer’s specification sheet, on file with the Department. A background NO₂ concentration of 40 micrograms per cubic meter (ug/m³) was assumed. Also assumed was that 75% of the NO_x emissions are NO₂ emissions. The applicant requested this initial location be the home pit location for this equipment; therefore, the Department required a 20 foot stack height to allow for unrestricted operation at this location. The terrain, specific to the initial location, included a road which runs through the property boundaries. The Department assumed this road to be public in defining modeling boundaries. Therefore, with the conservative assumptions modeled, the stack height required as a condition in this permit, and with further consideration of ARM 17.8.765, which requires that the portable plant not operate at other locations for longer than one year, the Department believes operation of this portable plant itself at other locations would likely not cause a violation of any ambient air quality standard.

The Department determined, based on this ambient air modeling, that the impact from this permitting action will be minor. 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 2-10-105, MCA, the Department conducted the following private property taking and damaging assessment.

YES	NO	
XX		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	XX	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	XX	3. Does the action deny a fundamental attribute of ownership? (ex.: right to exclude others, disposal of property)
	XX	4. Does the action deprive the owner of all economically viable uses of the property?
	XX	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?
	XX	6. Does the action have a severe impact on the value of the property? (consider economic impact, investment-backed expectations, character of government action)
	XX	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?
	XX	7a. Is the impact of government action direct, peculiar, and significant?
	XX	7b. Has government action resulted in the property becoming practically inaccessible, waterlogged or flooded?
	XX	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?
	XX	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

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

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

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: J Hanley Const Co
2461 M West Rd
Worden, MT 59088

Montana Air Quality Permit number: 4567-00

Preliminary Determination Issued: 7/30/2010

Department Decision Issued: 8/17/2010

Permit Final: 9/2/2010

1. *Legal Description of Site:* J Hanley proposes to operate a portable crushing and screening operation, which will initially be located at Section 20, Township 2 North, Range 29 East, in Yellowstone County, Montana. However, MAQP #4567-00 would apply while operating at any location in Montana, except those areas having a Department-approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain 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 PM₁₀ nonattainment areas.
2. *Description of Project:* The project involves installation and operation of a portable crushing and screening facility. The equipment included is listed in Section I.A of MAQP #4567-00.
3. *Objectives of Project:* The objectives of the project are to crush and sort sand and gravel like material.
4. *Alternatives Considered:* In addition to the proposed action, the Department also considered the “no-action” alternative. The “no-action” alternative would deny issuance of the air quality preconstruction permit to the proposed facility. However, the Department does not consider the “no-action” alternative to be appropriate because J Hanley has demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the “no-action” alternative was eliminated from further consideration.
5. *A Listing of Mitigation, Stipulations, and Other Controls:* A list of enforceable conditions, including a BACT analysis, would be included in MAQP #4567-00.
6. *Regulatory Effects on Private Property:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.

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

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

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

A. Terrestrial and Aquatic Life and Habitats

Terrestrials may use the same area as the crushing and screening operation. The proposed project would be considered a minor source of emissions by industrial standards. Limitations and conditions would be placed in MAQP #4567-00 to minimize these emissions. Minor effects on terrestrial life would be expected.

Impacts on aquatic life may result from storm water runoff and pollutant deposition, but such impacts would be minor as the facility would be a minor source of emissions. Since only a minor amount of air emissions would be generated, only minor deposition would occur. Furthermore, this project would typically operate in an area designated for such activities. Minor effects to aquatic life and habitat would be expected from the proposed crushing and screening operation.

B. Water Quality, Quantity and Distribution

Water would be required for pollution control for equipment operation. However, pollutant deposition and water use would cause minor impacts as only a small volume of water would be expected to be used and only a small amount of pollution deposition would be expected. Overall, the equipment would be expected to have minor impacts to water quality, quantity, and distribution in the area of operation.

C. Geology and Soil Quality, Stability and Moisture

The facility would be a minor source of emissions by industrial standards and would typically operate in areas designated for open-cut and crushing/screening operations. Therefore, impacts from the emissions from this project would be expected to be minor.

The crushing and screening operation would have only minor impacts on soils in any proposed site location because the facility is relatively small in size, would use relatively small amounts of water for pollution control, and would be expected to have seasonal and intermittent operations. Therefore, any affects upon geology and soil quality, stability, and moisture at any proposed operational site would be expected to be minor.

D. Vegetation Cover, Quantity, and Quality

Because the equipment at the facility would be a minor source of emissions by industrial standards due to the controls that would be required as a part of MAQP #4567-00, and because the project would typically operate in areas designated for such uses, impacts would be expected to be minor. The deposition of the air pollutants on the surrounding vegetation would be present and is expected to be minor.

E. Aesthetics

The project would be visible and would create additional noise while operating. However, MAQP #4567-00 would include conditions to control emissions, including visible emissions, from the plant. Visual and noise impacts would be expected at minor levels.

F. Air Quality

The air quality impacts from the crushing and screening operation would be expected to be minor because the facility would be relatively small and be required to operate using appropriate air pollution controls. MAQP #4567-00 would include conditions limiting the opacity from the plant, as well as requiring water spray bars as necessary to control particulate matter. Air quality modeling was conducted for NO_x and the project is expected to remain within ambient air quality standards. Furthermore, this project will likely operate on an intermittent basis. Therefore, air quality impacts would be expected to be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department contacted the Montana Natural Heritage Program (MNHP) to identify species of special concern that may be found in the area where the proposed portable plant would initially locate. Search results concluded that there was 1 species of concern in the area. The area was defined by the section, township, and range of the proposed site, with an additional 1-mile buffer. The species of concern was the Greater Sage-Grouse.

The mapping delineation explanation for the Greater Sage-Grouse explained that the confirmed breeding area is based on the presence of a nest, chicks, juveniles, or adults on a lek. Point observation location is buffered by a minimum distance of 6,400 meters in order to encompass the latest research on the area used for breeding, nesting, and brood rearing and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. Section 20 of Township 2 North, Range 29 East, is located on the edge of one such defined area.

Emissions from the proposed project may impact unique, endangered, fragile, or limited environmental resources located in any given area. However, allowable emissions and resulting impacts from the project would be expected to be minor due to the low concentration of those pollutants emitted, as a result of conditions that would be placed in MAQP #4567-00.

As described by Section 7.F above, air quality impacts would be expected to be minor. As described in Section 7.D above, deposition of the air pollutants on the surrounding vegetation would be present and is expected to be minor. Therefore, in consideration of location, the

emissions controls that would be required by MAQP #4567-00, and resulting impacts expected to the surrounding environment, only minor impacts would be expected to the Greater Sage-Grouse.

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

The project would require only small quantities of water, air, and energy for proper operation. Water would be used for dust suppression and would control particulate emissions being generated at the site. However, the total usage would be expected to be relatively small. Energy requirements would be required, and consist mostly of on-site diesel fired generators. Any impacts to water, air, and energy resources in any given area would be expected to be minor.

I. Historical and Archaeological Sites

The Department contacted the State Historic Preservation Office (SHPO) to request a cultural resource file search for the project location to aid the Department in the assessment of impacts to historical and archeological sites. According to SHPO's records, there have been no previously recorded sites within the designated search locale. The absence of cultural properties in the area does not mean that they do not exist but rather reflects the absence of any previous cultural resource inventory in the area. Therefore, the Department would expect minor, if any, impacts to historical and archaeological sites in issuing MAQP #4567-00.

J. Cumulative and Secondary Impacts

The proposed project would cause minor cumulative and secondary impacts to the physical and biological aspects of the human environment. Noise would also be generated from the site. Emissions and noise would cause minimal disturbance because the equipment is small and the facility would be expected to operate in areas designated and used for such operations. The potential impacts to the individual physical and biological considerations above were minor. Collectively, any cumulative or secondary impacts to the physical and biological aspects of the human environment would be expected to be minor

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

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

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

A. Social Structures and Mores

The proposed project would result in minor, if any, impacts to social structures and mores. The project would typically operate in an area designated for crushing and screening activities.

B. Cultural Uniqueness and Diversity

The proposed project would result in minor, if any, impacts to cultural uniqueness and diversity. The project would typically operate in an area designated for such activities. Furthermore, operations are expected to be intermittent. Only minor changes in employment would be expected.

C. Local and State Tax Base and Tax Revenue

The proposed project would result in minor impacts to the local and state tax base and tax revenue.

D. Agricultural or Industrial Production

The equipment would typically operate in areas previously designated and used for crushing/screening operations. The proposed project would have a minor impact on local industrial production since the project would increase air emissions slightly.

Conditions and limitations placed in MAQP #4567-00 would ensure a minor increase in allowable air emissions, with minimal deposition of air pollutants. Therefore, deposition on the surrounding land and vegetation would be expected to be minor. Any affects to agricultural production would be expected to be minor.

E. Human Health

Conditions would be incorporated into MAQP #4567-00 to ensure that the facility would operate in compliance with all applicable air quality rules and standards. These rules and standards are designed to protect human health. The air emissions from this project would be required to be minimized by the use of water spray.

F. Access to and Quality of Recreational and Wilderness Activities

This facility would typically be located on previously disturbed property or areas designated for such uses. This permitting action would not be expected to impact access to recreational and wilderness activities. Minor impact on the quality of recreational activities might be created by noise. Visible air emissions would be minimized as a result of limitations placed in the MAQP and the expected temporary and portable nature of the operation.

G. Quantity and Distribution of Employment

This facility would be a small, portable operation. Therefore, this project would not be expected to have any more than a minor effect to the quantity and distribution of employment in any given area of operation.

H. Distribution of Population

The facility would be small and temporary in nature with few employees expected. Therefore, the facility would be expected to have little, if any, impact on the normal population distribution in the area of operation or any future operating site.

I. Demands for Government Services

Government services would be required for acquiring the appropriate permits for the proposed project and to verify compliance with the permits that would be issued. However, demands for government services would be minor.

J. Industrial and Commercial Activity

The proposed project would represent only a minor increase in the industrial activity in the proposed area of operation because the facility would be a small industrial source, and be portable and temporary in nature.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans or goals in which this permitting action would interfere. The proposed project would be allowed by its Montana Air Quality Permit to operate in areas designated by EPA as attainment or unclassified for ambient air quality. An addendum would be required to operate in or within 10 km of a PM₁₀ nonattainment area. The permit would contain maximum capacity and opacity limits for protecting air quality and to keep facility emissions in compliance with any applicable ambient air quality standards.

L. Cumulative and Secondary Impacts

Overall, the proposed project would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment in the immediate area of operation.

Recommendation: No Environmental Impact Statement (EIS) is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: The current permitting action is for the construction and operation of a portable crushing and screening operation. MAQP #4567-00 includes conditions and limitations to ensure the facility will operate in compliance with all applicable rules and regulations. In addition, there are no significant impacts associated with this proposal.

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

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

EA prepared by: Shawn Juers
Date: 7/19/2010