



Montana Department of
ENVIRONMENTAL **Q**UALITY

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July 1, 2011

Mr. Dan Holli
Plains Marketing, L.P.
P.O. Box 708
Belfield, ND 58622

Dear Mr. Holli:

Montana Air Quality Permit #4645-00 is deemed final as of July 1, 2011, by the Department of Environmental Quality (Department). This permit is for a Crude Oil Truck Unloading Station and Associated Equipment. All conditions of the Department's Decision remain the same. Enclosed is a copy of your permit with the final date indicated.

For the Department,

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

Doug Kuenzli
Environmental Science Specialist
Air Resources Management Bureau
(406) 444-4267

VW:DCK
Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Montana Air Quality Permit #4645-00

Plains Marketing, L.P.
P.O. Box 708
Belfield, ND 58622

July 1, 2011



MONTANA AIR QUALITY PERMIT

Issued To: Plains Marketing, L.P.
P.O. Box 708
Belfield, ND 58622

MAQP: #4645-00
Application Complete: 04/27/2011
Preliminary Determination Issued: 05/12/2011
Department's Decision Issued: 06/15/2011
Permit Final: 07/01/2011
AFS #: 091-0095

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to Plains Marketing, L.P. (Plains Marketing) 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

Plains Marketing owns and operates a crude oil truck unloading station, whereby crude oil is delivered to the facility via tanker truck and is unloaded into storage tanks for blending and pipeline injection. Facility consists of five (5) 400 barrel (bbl) vertical fixed roof tanks and associated transfer pipelines and pumps. Evaporative losses occur during storage and as a result filling and emptying operations from the tanks.

B. Plant Location

The facility is located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, Township 33 North, Range 56 East, in Sheridan County, Montana, and is referred to as the Reserve East Truck Station.

SECTION II: Conditions and Limitations

A. Operational Limitations

1. Plains Marketing shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any sources installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).
2. Plains Marketing 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).
3. Plains Marketing shall treat all unpaved portions of the haul roads, access roads, parking lots, or general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation in Section II.A.2 (ARM 17.8.752).
4. Plains Marketing shall limit the combined throughput of crude oil to not more than 400 barrels (bbl) per hour and 2,404,761 bbl (101,000,000 gallons) during any rolling 12-month time period (ARM 17.8.749 and ARM 17.8.1204).

5. Tanks vents shall be provided with pressure/vacuum relief valves (ARM 17.8.752).
6. Loading of crude oil into tanks shall be restricted to submerged fill pipe loading. (ARM 17.8.752).

B. Inspection, Maintenance and Repair Requirements

1. Each calendar month, tanks, valves, flanges, pump seals, open-ended lines, connectors, hatches, man way covers, and air eliminators/vents shall be inspected for leaks. For purposes of this requirement, detection methods incorporating sight, sound, or smell are acceptable (ARM 17.8.105 and ARM 17.8.752).
2. Plains Marketing shall (ARM 17.8.105 and ARM 17.8.752):
 - a. Make a first attempt at repair for any leak no later than 5 calendar days after the leak is detected; and
 - b. Repair any leak as soon as practicable, but no later than 15 calendar days after it is detected, except as provided in Section II.B.3.
3. Delay of repair of equipment for which a leak has been detected would be allowed if repair within 15 days is technically infeasible. Such equipment shall be repaired as soon as reasonably possible (ARM 17.8.752).

C. Recordkeeping Requirements

1. Plains Marketing shall document the monthly inspections required under Section II.B. Inspections records shall include the following minimum documentation (ARM 17.8.749):
 - a. Date of inspection;
 - b. Leak detection method employed;
 - c. Findings (may indicate no leaks discovered or location, nature, and severity of each leak);
 - d. Corrective action taken (date each leak repaired and justification for any repair interval in excess of 15 calendar days);
 - e. Inspector's name and signature.
2. Records compiled in accordance with the above requirements shall be maintained by Plains Marketing as a permanent business record for at least 5 years following the date of the inspection, shall be available at the plant site for inspection by the Department of Environmental Quality (Department), and shall be submitted to the Department upon request (ARM 17.8.749).

D. Testing Requirements

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

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

E. Reporting Requirements

1. Plains Marketing shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but is not limited to, all sources of emissions identified in the emission inventory contained in the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in the units required by the Department. This information may be used to calculate operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

2. Plains Marketing 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(1)(d) (ARM 17.8.745).
3. All records compiled in accordance with this permit must be maintained by Plains Marketing 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).
4. Plains Marketing shall document, by month, throughput of crude oil. By the 25th day of each month, Plains Marketing shall total the throughput of crude oil for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.4. The information for each of the previous months shall be submitted along with annual emission inventory (ARM 17.8.749).
5. Plains Marketing shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit as required by ARM 17.8.1204(3)(b). The annual certification shall comply with the certification requirements of ARM 17.8.1207. The annual certification shall be submitted along with the annual emission inventory (ARM 17.8.749 and ARM 17.8.1204).

SECTION III: General Conditions

- A. Inspection – Plains Marketing 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 the terms, conditions, and matters stated herein shall be deemed accepted if Plains Marketing fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Plains Marketing of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.* (ARM 17.8.756).
- D. Enforcement – Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties, or other enforcement action as specified in Section 75-2-401, *et seq.*, MCA.
- E. Appeals – Any person or persons jointly or severally adversely affected by the Department’s decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department’s decision, unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on a permit by the Board postpones the effective date of the Department’s decision until conclusion of the hearing and issuance of a final decision by the Board. If a stay is not issued by the Board, the Department’s decision on the application is final 16 days after the Department’s decision is made.
- F. Permit Inspection – As required by ARM 17.8.755, Inspection of Permit, a copy of the MAQP shall be made available for inspection by the Department at the location of the source.
- G. Permit Fee – Pursuant to Section 75-2-220, MCA, failure to pay the annual operation fee by Plains Marketing 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
Plains Marketing, L.P.
MAQP #4645-00

I. Introduction/Process Description

Plains Marketing, L.P. (Plains Marketing) purchased an existing unpermitted crude oil unloading station, which is located approximately one mile south of Reserve, Montana. MAQP #4645-00 is issued to provide authorization from the Department of Environmental Quality (Department) to operate this air contaminant source. The facility is located in the NW¼ of the NW¼ of Section 30, Township 33 North, Range 56 East, in Sheridan County, Montana.

A. Permitted Equipment

- Sour Crude: Two (2) 400 barrel (bbl) Vertical Fixed Roof Tanks (installed in 2006)
- Sweet Crude: Three (3) 400 bbl Vertical Fixed Rood Tanks (installed in 2006)
- Crude Oil Tanker Truck Unloading Station
- Lease Automatic Custody Transfer (LACT) Units

B. Source Description

Crude oil is received via tanker trucks and is unloaded into the appropriate tanks designated for sweet crude or sour crude oils. Sour oil is blended with the sweet oil and the blend is pumped into a nearby pipeline. The maximum rate design throughput of the facility is 400 bbl per hour of crude oil or 2,404,761 bbl per year.

II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department. Upon request, the Department will provide references for location of complete copies of all applicable rules and regulations or copies where appropriate.

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

1. ARM 17.8.101 Definitions. This rule includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

Plains Marketing 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 the following:

1. ARM 17.8.204 Ambient Air Monitoring
2. ARM 17.8.213 Ambient Air Quality Standard for Ozone
3. ARM 17.8.214 Ambient Air Quality Standard for Hydrogen Sulfide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.221 Ambient Air Quality Standard for Visibility
6. ARM 17.8.222 Ambient Air Quality Standard for Lead
7. ARM 17.8.223 Ambient Air Quality Standard for Particulate Matter with an Aerodynamic Diameter of 10 Micron or Less (PM₁₀).

Plains Marketing 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, Plains Marketing shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause, allow, or permit to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this rule.
4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause, allow, or permit to be discharged into the atmosphere particulate matter in excess of the amount set forth in this rule.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this rule.
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 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 and Emission Guidelines for Existing Sources. This rule incorporates, by reference, 40 Code of Federal

Regulations (CFR) Part 60, Standards of Performance for New Stationary Sources (NSPS). This facility is not an NSPS affected source, as the capacity of each individual tank is less than 75 m³ (19,800 gallons) as defined in 40 CFR Part 60, Subpart Kb.

8. ARM 17.8.341 Emission Standards for Hazardous Air Pollutants. This source shall comply with the standards and provisions of 40 CFR Part 61, as appropriate.
9. ARM 17.8.342 Emission Standards for Hazardous Air Pollutants for Source Categories. The source, as defined and applied in 40 CFR Part 63, shall comply with any applicable requirements of 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 MAQP application fee concurrent with the submittal of an MAQP application. A permit application is incomplete until the proper application fee is paid to the Department. Plains Marketing 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 MAQP (excluding an open burning permit) issued by the Department. The air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

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

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

1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain an MAQP or permit modification to construct, modify, or use any air contaminant sources that have the potential to emit (PTE) greater than 25 tons per year of any pollutant. Plains Marketing has a PTE greater than 25 tons per year of Volatile Organic Compounds (VOC); 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. Plains Marketing 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. Plains Marketing submitted an affidavit of publication of public notice for the April 14, 2011 issue of the *Sheridan County News*, a newspaper of general circulation in the Town of Plentywood in Sheridan 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 (CAAM), 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 MAQPs 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 Plains Marketing 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 CAAM, 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. This rule states that an MAQP may be transferred from one person to another if written notice of intent to transfer, including the names of the transferor and the transferee, is sent to the Department.
- F. ARM 17.8, Subchapter 8 – Prevention of Significant Deterioration of Air Quality, including, but not limited to:
1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
 2. ARM 17.8.818 Review of Major Stationary Sources and Major Modifications--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification, with respect to each pollutant subject to regulation under the FCAA that it would emit, except as this subchapter would otherwise allow.

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

- G. ARM 17.8, Subchapter 12 – Operating Permit Program Applicability, including, but not limited to:
1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any 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. (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 #4645-00 for Plains Marketing, the following conclusions were made:
 - a. Plains Marketing has requested federally enforceable permit limits to maintain PTE below 100 tons/year for NOx.
 - b. The facility's PTE is less than 10 tons/year for any one HAP and less than 25 tons/year for all HAPs.
 - c. This source is not located in a serious PM₁₀ nonattainment area.
 - d. This facility is not subject to any current NSPS.
 - e. This facility is not subject to any current NESHAP standards.
 - f. This source is not a Title IV affected source, or a solid waste combustion unit.

- g. This source is not an Environmental Protection Agency (EPA) designated Title V source.
- h. As allowed by ARM 17.8.1204(3), the Department may exempt a source from the requirement to obtain an air quality operating permit by establishing federally enforceable limitations which limit that source's potential to emit.
 - i. In applying for an exemption under this section, the owner or operator of the source shall certify to the Department that the source's potential to emit, does not require the source to obtain an air quality operating permit.
 - ii. Any source that obtains a federally enforceable limit on potential to emit shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit.

Plains Marketing has requested federally enforceable permit limits to keep potential emissions below major source permitting thresholds. Therefore, the facility is not a major source and, thus a Title V operating permit is not required.

The Department determined that the annual reporting requirements contained in the permit are sufficient to satisfy this requirement.

3. ARM 17.8.1207 Certification of Truth, Accuracy, and Completeness.

Plains Marketing shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit as required by ARM 17.8.1204 (3)(b). The annual certification shall comply with requirements of ARM 17.8.1207. The annual certification shall be submitted along with the annual emission inventory information.

Based on these facts, the Department determined that Plains Marketing will be a minor source of emissions as defined under Title V based on a requested federally enforceable permit limit.

III. BACT Determination

A BACT determination is required for each new or modified source. Plains Marketing 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. The control options selected are comparable to other recently permitted similar sources and are capable of achieving the appropriate emission standards.

A BACT analysis was submitted by Plains Marketing, addressing some available methods of controlling VOC and Particulate Matter (PM) emissions. The Department reviewed these methods, as well as previous BACT determinations. The following control options have been reviewed by the Department in order to make the following BACT determination.

A. Tanks - VOC BACT

Floating Roof Storage Tanks

Plains Marketing is proposing to operate fixed roof tanks as constructed. Floating roofs are required by 40 CFR 60, Subpart Kb – Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984. 40 CFR 60.110b(a) states that the facilities to which this subpart applies are storage vessel with a capacity greater than or equal to 75 cubic meters (m³). 75 m³ is equivalent to approximately 471 bbl; therefore, the tanks at the Reserve East station are below this threshold for the Subpart to apply. In addition, the Department has not required floating roof tanks as BACT for other similar sources. Therefore, floating roofs are not considered BACT in this case.

Flares

Plains Marketing provided a review of operating an open or enclosed flare to thermally destroy the VOC emissions. Flares provide a high level of destruction efficiency and can be operated with low capital cost and maintenance; however, their operation requires full-time onsite personnel to maintain and monitor safely due to the potential fire hazards. A flare located at a crude oil unloading station presents a safety concern due to the intake of air into the tanks while they are emptied and the potential of the flare to ignite the vapors within the tank during this intake. Therefore, their use is not generally accepted practice at crude oil unloading stations.

Additionally, there is not a continuous source of fuel gas for the pilot flame, nor is there a continuous vent gas stream for the primary flame. An external fuel source would be required to enrich the vent stream to maintain a minimum heating value for flare combustion. A flare system is considered technically and economically impracticable as BACT in this instance.

Vapor Recovery Unit

Vapor recovery technologies all require a continuous source of fuel gas which is not available on site for the project. In addition, there is no sales gas line available for a recovered gas stream. These technologies were eliminated as BACT in this instance due to technical infeasibility.

Pressure/Vacuum Relief Valves

Existing tanks are provided pressure/vacuum relief valves (PVRV) located on each tanks roof vent, to minimize the emission of the internal tank vapors to the atmosphere. Valves open in instances when the internal tank pressure or vacuum exceeds a pressure set point. The opened PVRV allow the built-up vapor pressure to escape or for atmospheric air to enter the tank until the internal tank pressure or vacuum goes below the pressure set point. The PVRV would then close and the internal tank vapors would again be sealed from the atmosphere. The Department has determined that the PVRV on the tank roof vents constitutes BACT in this instance.

Submerged Fill Practices

During submerged fill loading, liquid enters the tank below the liquid level in the tank. Liquid turbulence is controlled significantly during submerged loading, resulting in lower vapor generation than encountered during splash loading. Based on review of crude oil emission factors associated with cargo tank loading via submerged fill versus splash loading, a significant reduction in emissions can be achieved by utilizing submerged filling. Plains

Marketing also presented ‘best management practices’ as BACT. Therefore, the Department has determined that submerged filling practices, and proper operation and maintenance of the tanks, as reviewed by inspection of the tanks, constitutes BACT in this instance.

B. Fugitive Emissions – VOC BACT

Fugitive emissions occur from vapor losses from valves, pump seals, flanges, and connectors. The Department is not aware of any method of controlling these emissions other than through routine inspection and maintenance of the components. Therefore, the Department has determined that routine inspections and appropriate maintenance of these components constitutes BACT.

C. Fugitive Emissions – PM BACT

Fugitive emissions from vehicle traffic on unpaved roads would be expected to occur at the facility. Two types of emissions controls are readily available and are typically used for dust suppression of fugitive particulate emissions – chemical dust suppressant and water. Chemical dust suppressant could be used on the gravel roads at the facility. However, because water is more readily available, is less expensive, is as equally affective, and is more environmentally friendly than chemical dust suppressant, water has been identified as the BACT for particulate emissions at the facility. Plains Marketing may, however, use chemical dust suppressant to assist in controlling particulate emissions from the surrounding plant area. Water suppression, with the option of using chemical dust suppressant, has been required of recently permitted similar sources.

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

IV. Emissions Inventory

Emission Source	Emissions Tons/Year [PTE]								
	PM	PM ₁₀	PM _{2.5}	CO	NO _x	SO ₂	VOC	HAP	H ₂ S
#1 Crude Oil Storage Tank – 400 bbl ^(a)	---	---	---	---	---	---	14.98	1.54	0.002
#2 Crude Oil Storage Tank – 400 bbl ^(a)	---	---	---	---	---	---	14.98	1.54	0.002
#3 Crude Oil Storage Tank – 400 bbl ^(a)	---	---	---	---	---	---	14.98	1.54	0.002
#4 Crude Oil Storage Tank – 400 bbl ^(a)	---	---	---	---	---	---	14.98	1.54	0.002
#5 Crude Oil Storage Tank – 400 bbl ^(a)	---	---	---	---	---	---	14.98	1.54	0.002
Equipment Leaks - Fugitive Emissions	---	---	---	---	---	---	5.01	0.51	0.001
Unpaved Roadways (Haul Roads)	12.26	3.62	0.36	---	---	---	---	---	---
TOTAL EMISSIONS ►	12.26	3.62	0.36	---	---	---	79.91	8.20	0.01

a. Emission Inventory reflects enforceable limits on total crude oil throughput to keep allowable emissions below the Title V threshold AND 80 tpy.

bbl, U.S. oil barrel (42 U.S gallons, liquid)

Btu, British thermal unit

CO, carbon monoxide

HAP, hazardous air pollutant

H₂S, Hydrogen Sulfide

lb, pound

kg, kilogram

NO_x, oxides of nitrogen

PM, particulate matter

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

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

psia, pounds per square inch actual

psig, pounds per square inch as read by gauge (not including atmospheric pressure)

R, degrees Rankine

RVP, Reid Vapor Pressure

SO₂, oxides of sulfur

TPY, tons per year

VOC, volatile organic compounds

Based on U.S. EPA TANKS 4.0.9d Emissions Estimate Software

400 bbl Fixed Vertical Tank

Tank Dimensions

Shell Height (ft): 20
 Diameter (ft): 12
 Liquid Height (ft) : 20
 Avg. Liquid Height (ft): 10
 Volume (gallons): 16,920.59
 Turnovers: 1,193.81
 Net Throughput (gal/yr): 20,200,000
 Is Tank Heated (y/n): No

Paint Characteristics

Shell Color/Shade: Gray/Light
 Shell Condition: Good
 Roof Color/Shade: Gray/Light
 Roof Condition: Good

Roof Characteristics

Type: Cone
 Height (ft) 0
 Slope (ft/ft) (Cone Roof) 0.06

Breather Vent Settings

Vacuum Settings (psig): 0
 Pressure Settings (psig) 0

Meteorological Data used in Emissions Calculations: Williston, North Dakota (Avg Atmospheric Pressure = 13.82 psia)

Liquid Contents of Storage Tank:

Mixture/Component	Month	Daily Liquid Surf. Temperature (deg F)			Liquid Bulk Temp (deg F)	Vapor Pressure (psia)			Vapor Mol. Weight.	Liquid Mass Fraction	Vapor Mass Fraction	Mol. Weight
		Avg.	Min.	Max.		Avg.	Min.	Max.				
Crude oil (RVP 12)*	All	47.88	38.82	56.94	43.67	7.8772	6.7675	9.1201	50.0000			207.00

* Crude RVP based on Plains Marketing provided data

Tanks 4.0.9d Detailed Calculations:

Annual Emission Calculations

Standing Losses (pounds): 2,702.3518
 Vapor Space Volume (cubic foot): 1,144.5450
 Vapor Density (lb/cubic ft): 0.0723
 Vapor Space Expansion Factor: 0.4674
 Vented Vapor Saturation Factor: 0.1914

Tank Vapor Space Volume:
 Vapor Space Volume (cubic foot): 1,144.5450
 Tank Diameter (foot): 12.0000
 Vapor Space Outage (foot): 10.1200
 Tank Shell Height (foot): 20.0000
 Average Liquid Height (foot): 10.0000
 Roof Outage (foot): 0.1200

Roof Outage (Cone Roof)
 Roof Outage (foot): 0.1200
 Roof Height (foot): 0.0000
 Roof Slope (foot/foot): 0.0600
 Shell Radius (foot): 6.0000

Vapor Density
 Vapor Density (lb/cubic foot): 0.0723
 Vapor Molecular Weight (lb/lb-mole): 50.0000
 Vapor Pressure at Daily Average Liquid Surface Temperature (psia): 7.8772
 Daily Avg. Liquid Surface Temp. (degree R): 507.5474
 Daily Average Ambient Temp. (degree F): 41.4292
 Ideal Gas Constant R (psia cuft / (lb-mol-deg R)): 10.731
 Liquid Bulk Temperature (deg. R): 503.3392
 Tank Paint Solar Absorptance (Shell): 0.5400
 Tank Paint Solar Absorptance (Roof): 0.5400
 Daily Total Solar Insulation Factor (Btu/square foot day): 1,217.5000

Vapor Space Expansion Factor	
Vapor Space Expansion Factor:	0.4674
Daily Vapor Temperature Range (deg. R):	36.2466
Daily Vapor Pressure Range (psia):	2.3526
Breather Vent Press. Setting Range (psia):	0.0000
Vapor Pressure at Daily Average Liquid Surface Temperature (psia):	7.8772
Vapor Pressure at Daily Minimum Liquid Surface Temperature (psia):	6.7675
Vapor Pressure at Daily Maximum Liquid Surface Temperature (psia):	9.1201
Daily Avg. Liquid Surface Temp. (deg R):	507.5474
Daily Min. Liquid Surface Temp. (deg R):	498.4858
Daily Max. Liquid Surface Temp. (deg R):	516.6091
Daily Ambient Temp. Range (deg. R):	24.7750
Vented Vapor Saturation Factor:	0.1914
Vapor Pressure at Daily Average Liquid Surface Temperature (psia):	7.8772
Vapor Space Outage (foot):	10.1200
Working Losses (lb):	27,248.6727
Vapor Molecular Weight (lb/lb-mole):	50.0000
Vapor Pressure at Daily Average Liquid Surface Temperature (psia):	7.8772
Annual Net Throughput (gallons/year.):	20,200,000.0000
Annual Turnovers:	1,193.8116
Turnover Factor:	0.1918
Maximum Liquid Volume (gallons):	16,920.5925
Maximum Liquid Height (foot):	20.0000
Tank Diameter (foot):	12.0000
Working Loss Product Factor:	0.7500
Total Losses (pounds):	29,951.0245

Tanks 4.0.9d Loss Totals:

Tank Losses				
Components	Units	Working Loss	Breathing Loss	Total Emissions
Crude oil (RVP 12)	[lbs] ▶	27,248.67	2,702.35	29,951.02
	[TPY] ▶	13.6243	1.3511	14.9755

Individual Constituent Emission Totals:

US EPA Speciate Program Profile No. 1210 - Terminal Tanks

Constituent	Emission Factor [% of Vapor Phase]	Vapor Emissions [VOC TPY]	HAP Emissions [TPY]	H ₂ S Emissions [TPY]
Benzene [HAP]	0.54	14.976	0.0809	
Toluene [HAP]	0.9	14.976	0.1348	
Ethylbenzene [HAP]	0.22	14.976	0.0329	
Xylene [HAP]	0.89	14.976	0.1333	
Hexane [HAP]	4.69	14.976	0.7024	
2,2,4,-Trimethylpentane [HAP]	3.03	14.976	0.4538	
Hydrogen Sulfide*	0.01	14.976		0.0015
Totals ▶			1.5380	0.0015

* H₂S based on Plains Marketing provided data [100 ppm of vapor phase]

Fugitive Emissions – Equipment Leaks:

Emissions Factors from Protocol for Equipment Emissions Estimates, EPA 453/R-95-017, 11/95
Per Source VOC*

Component	Component(s)	Emission Factor		TPY
		kg/hr	lbs/hr	
Valves	100	0.0025	0.0055	2.41
Pump Seals	5	0.013	0.0287	0.63
Other	20	0.0075	0.0165	1.45
Connectors	20	0.00021	0.0005	0.04
Flanges	350	0.00011	0.0002	0.37
Open-end Lines	8	0.0014	0.0031	0.11
Total VOC ►				5.0115

* Based on 8,760 hours

Individual Constituent Fugitive Emissions – Equipment Leaks:

Based on US EPA Speciate Program Profile No. 1210 - Terminal Tanks

Constituent	Emission Factor [% of Vapor Phase]	Vapor Emissions [VOC TPY]	HAP Emissions [TPY]	H ₂ S Emissions [TPY]
Benzene [HAP]	0.54	5.0115	0.0271	
Toluene [HAP]	0.9	5.0115	0.0451	
Ethylbenzene [HAP]	0.22	5.0115	0.0110	
Xylene [HAP]	0.89	5.0115	0.0446	
Hexane [HAP]	4.69	5.0115	0.2350	
2,2,4,-Trimethylpentane [HAP]	3.03	5.0115	0.1518	
Hydrogen Sulfide*	0.01	5.0115		0.0005
Totals ►			0.5147	0.0005

* H₂S based on Plains Marketing provided data [100 ppm of vapor phase]

Unpaved Roadways (Haul Roads):

Emission Factor	$EF = k(s/12)^a * (W/3)^b$	[AP-42 13.2.2.2, 11/06]
where:	EF, Emission Factor = lbs Emitted Per Vehicle Mile Traveled (VMT)	
k,	Empirical Constant PM = 4.9	[AP-42 Table 13.2.2-2, 11/06]
k,	Empirical Constant PM ₁₀ = 1.5	[AP-42 Table 13.2.2-2, 11/06]
k,	Empirical Constant PM _{2.5} = 0.15	[AP-42 Table 13.2.2-2, 11/06]
s,	Surface Material Silt Content (%) = 10	[AP-42 Table 13.2.2-1, 11/06]
W,	Mean Vehicle Weight (tons) = 37.5	[Plains Marketing Provided Data]
a,	Empirical Constant PM = 0.7	[AP-42 Table 13.2.2-2, 11/06]
a,	Empirical Constant PM ₁₀ /PM _{2.5} = 0.9	[AP-42 Table 13.2.2-2, 11/06]
b,	Empirical Constant PM - PM _{2.5} = 0.45	[AP-42 Table 13.2.2-2, 11/06]

PM Emissions:

Emission Factor	$EF = 4.9 * (10/12)^{0.7} * (37.5/3)^{0.45} = 13.44$	lbs/VMT
Calculations	$(13.44 \text{ lbs/VMT}) * (5 \text{ miles/day}) =$	67.20 lbs/day
	$(67.20 \text{ lbs/day}) * (365 \text{ days/yr}) * (0.0005 \text{ tons/lb}) =$	12.26 TPY

PM₁₀ Emissions:

Emission Factor	$EF = 1.5 * (10/12)^{0.7} * (37.5/3)^{0.45} = 3.97$	lbs/VMT
Calculations	$(3.97 \text{ lbs/VMT}) * (5 \text{ miles/day}) =$	19.83 lbs/day

$$(19.83 \text{ lbs/day}) * (365 \text{ days/yr}) * (0.0005 \text{ tons/lb}) = 3.62 \text{ TPY}$$

PM_{2.5} Emissions:

Emission Factor	EF = 0.15 * (10/12) ^{0.9} * (37.5/3) ^{0.45} =	0.40	lbs/VMT
Calculations	(0.40 lbs/VMT) * (5 miles/day) =	1.98	lbs/day
	(1.98 lbs/day) * (365 days/yr) * (0.0005 tons/lb) =	0.36	TPY

V. Existing Air Quality

The Reserve East truck station is located in eastern Montana in a sparsely populated area with generally very good ventilation throughout the year. The area is designated unclassified/attainment with all ambient air quality standards and there are no major air pollution sources in the surrounding area.

VI. Ambient Air Impact Analysis

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

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

VIII. Environmental Assessment

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, Montana 59620
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Plains Marketing, L.P.
P.O. Box 708
Belfield, ND 58622

Montana Air Quality Permit Number: 4645-00

Preliminary Determination Issued: May 12, 2011

Department Decision Issued: June 15, 2011

Permit Final: July 1, 2011

1. *Legal Description of Site:* NW¼ of the NW¼ of Section 30, Township 33 North, Range 56 East, approximately one mile south of Reserve, in Sheridan County, Montana
2. *Description of Project:* Plains Marketing proposes to operate the crude oil truck unloading station known as the Reserve East Truck Station. This facility would be used to unload crude oil from transport trucks to storage tanks and to inject the oil into a pipeline.
3. *Objectives of Project:* The objectives of the project would be to generate business and revenue from the transport of crude oil to sales destinations.
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 Plains Marketing 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 #4645-00.
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			X			Yes
B	Water Quality, Quantity, and Distribution			X			Yes
C	Geology and Soil Quality, Stability and Moisture			X			Yes
D	Vegetation Cover, Quantity, and Quality			X			Yes
E	Aesthetics			X			Yes
F	Air Quality			X			Yes
G	Unique Endangered, Fragile, or Limited Environmental Resources			X			Yes
H	Demands on Environmental Resource of Water, Air and Energy			X			Yes
I	Historical and Archaeological Sites			X			Yes
J	Cumulative and Secondary Impacts			X			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

The Department would expect minor effects to terrestrial and aquatic life and habitats in issuing MAQP #4645-00. The allowable emissions associated with this permitting action would be relatively small, and include VOC and PM emissions. Control requirements for fugitive dust emissions would be included in MAQP #4645-00 to reduce PM emissions and therefore the amount of deposition. Overall, any impacts to terrestrial and aquatic life and habitats would be expected to be minor.

B. Water Quality, Quantity and Distribution

Minor impacts would be expected on water quality, quantity, and distribution from the proposed project due to pollutant deposition and the use of water for dust suppression on the gravel roads. There would be no surface or groundwater discharges expected from this project, nor would there be any surface waters at or near the project site. Therefore minor, if any, impacts would be expected from the proposed project.

C. Geology and Soil Quality, Stability and Moisture

Water and/or chemical dust suppressant may be used to reduce fugitive dust emissions from vehicle traffic on unpaved roads. Minor, if any, impacts to water quality, quantity and distribution, and geology, soil quality, stability, and moisture would be expected from this activity.

D. Vegetation Cover, Quantity, and Quality

MAQP #4645-00 would require control of fugitive dust emissions to reduce deposition of PM. The allowable emissions from the site are relatively small, and effects to vegetation cover, quantity, and quality would be expected to be minor.

E. Aesthetics

Plains Marketing proposes to own and operate an existing crude oil tanker truck unloading facility. The site would consist of five above ground storage tanks (AST) and would include truck traffic. Existing effect to aesthetics of the area are minor and no changes are expected as a result of issuance of MAQP #4645-00.

F. Air Quality

MAQP #4645-00 would permit emissions of VOC and PM. The air emissions from the facility would be minimized by enforceable conditions in the facility's MAQP. The Department determined, based on the allowable emissions from the facility and the existing air quality in the area, that the impacts from this permitting action would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

In an effort to identify any unique, fragile, or limited environmental resources in the area, the Department contacted the Montana Natural Heritage Program, Natural Resource Information System (NRIS). Search results concluded there are four species of concern within the area. In this case, the area was defined by the section, township, and range of the proposed location with an additional one mile buffer zone. The known species of concern include four vertebrate animals: the Sprague's Pipit (sensitive), Baird's Sparrow (sensitive), Northern Redbelly Dace, and the Pearl Dace (sensitive).

Site operations would occur within a previously disturbed industrial site which contains several similar crude oil tank unloading and storage locations. Therefore, the overall industrial nature of the area would not change as a result of this permitting action. Due to the limitations placed on allowable emissions and the current use of the site affects on any unique endangered, fragile, or limited environmental resources would be expected to be minor.

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

The proposed project would have minor impacts on the demands of environmental resources of water, air, and energy because the facility would be a source of air pollutants. Water would be required for the control of particulate matter from vehicle traffic. The Department has determined that while the proposed project would require environmental resources of water, air, and energy, the impact would be expected to be minor.

I. Historical and Archaeological Sites

In an effort to identify any historical and archaeological sites at or near the proposed project area, the Department contacted the Montana Historical Society, State Historic Preservation Office (SHPO). According to the SHPO, there have not been any previously recorded sites within the designated search locale and that there is a low likelihood that cultural properties would be impacted. In this case, the area was defined by the section, township, and range of the proposed location. Based on the results of SHPO search and the fact that this is an existing facility with no significant construction necessary, the Department had determined that there would be no impact on any historical or archaeological sites.

J. Cumulative and Secondary Impacts

Potential physical and biological effects of any individual considerations above would be expected to be minor. Collectively, the potential cumulative and secondary impacts 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				X		Yes
B	Cultural Uniqueness and Diversity				X		Yes
C	Local and State Tax Base and Tax Revenue			X			Yes
D	Agricultural or Industrial Production			X			Yes
E	Human Health			X			Yes
F	Access to and Quality of Recreational and Wilderness Activities			X			Yes
G	Quantity and Distribution of Employment			X			Yes
H	Distribution of Population			X			Yes
I	Demands for Government Services			X			Yes
J	Industrial and Commercial Activity			X			Yes
K	Locally Adopted Environmental Plans and Goals			X			Yes
L	Cumulative and Secondary Impacts			X			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 facility would not cause a disruption to any native or traditional lifestyles or communities in the area. The proposed location would be on private property and the surrounding area would mainly be used for agriculture activities, livestock grazing, and other oil and gas activities. Therefore, no impacts would be expected on social structures and mores.

B. Cultural Uniqueness and Diversity

The proposed facility would not cause a change in the cultural uniqueness and diversity of the area because the surrounding land use would remain unchanged.

C. Local and State Tax Base and Tax Revenue

The proposed project would be expected to result in minor impacts to the local and state tax base and tax revenue. MAQP #4645-00 is for an existing facility, therefore no new employment would be expected and the no significant gains to tax base or revenue are expected.

D. Agricultural or Industrial Production

Impact on local industrial production would expect to be minor, as the facility is existing and no expansion is addressed in MAQP #4645-00. Minimal deposition of air pollutants would occur on the surrounding land (as described above in Section 7.F), therefore, only minor effects on the surrounding vegetation or agricultural production would occur. The surrounding area is largely undeveloped or agricultural land. Pollutant deposition from the project would be minimal because the emissions would be well controlled, widely dispersed (from factors such as wind speed and wind direction), and would have minimal deposition on the surrounding area.

E. Human Health

As described in Section 7.F of the EA, the impacts from this facility on human health would expect to be minor because it would be considered a minor source of emissions and the conditions of MAQP #4645-00 would ensure that the facility would operate in compliance with all applicable rules and standards. These rules and standards are designed to be protective of human health.

F. Access to and Quality of Recreational and Wilderness Activities

Access to recreational opportunities would not be limited or modified by this facility. The equipment is located within a preexisting industrial site that has been established for similar use. All recreational opportunities, if available in the area, would still be accessible. Noise from the facility would be minimal to surroundings because of the facility size, expected hours of operation, and rural location. The storage facility is on private land and the Department has determined that the project would be a minor industrial source of emissions. Therefore, any changes in the quality of recreational and wilderness activities created by operating the equipment at this site are expected to be minor.

G. Quantity and Distribution of Employment

The Department would expect a very minor effect to the quantity and distribution of employment as the facility would employ only several persons. As this facility is in current operation and no significant changes in activity would be expected the impact to the quantity and distribution of employment associated with permit action would expect to be minor.

H. Distribution of Population

Since this facility is currently in operation, no significant change in the quantity and distribution of employment would be expected at this facility. Therefore, minor, if any, effects to the distribution of population would be expected as a result of issuance of MAQP #4645-00.

I. Demands for Government Services

The operation of the portable asphalt plant would cause minimal demand for government services. This project results in an minor increase in traffic on existing roadways and 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 expected to be minor.

J. Industrial and Commercial Activity

The proposed project results in only a minor increase in the industrial activity in the proposed area of operation because the facility is a small industrial source. Some additional industrial or commercial activity would be expected as a result of the proposed operation; however, these impacts to the industrial and commercial activity would be minor.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans or goals that would be affected by the authorized operation of this facility. MAQP #4645-00 contains conditions and 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, minor cumulative and secondary impacts to the social and economic aspects of the human environment would be expected in the immediate area of operation. The nature and scale of this operation is minor and similar to other existing oil related facilities in the area. Furthermore, no other industrial operations are expected to result from this permitting action. Any increase in traffic would have minor effects on local traffic in the immediate area.

In conclusion, the source is relatively small, the facility emissions would be minimal, and the project would have only minor cumulative and secondary impacts.

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 operation of a crude oil unloading station. MAQP #4645-00 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, Natural Resource Information System – Montana Natural Heritage Program

EA prepared by: D. Kuenzli

Date: April 12, 2011