



May 12, 2020

Ken Parker, Vice President, Facilities Engineering and Operations
Crusoe Energy Systems, Inc. – Fletch 5-8 CTB
1660 17th Street, Suite 350
Denver, Colorado 80202

Dear Mr. Parker:

Montana Air Quality Permit #5234-01 is deemed final as of May 12, 2020, by the Department of Environmental Quality (Department). This permit is for natural gas-fired engines for electricity generation. 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,

A handwritten signature in black ink that reads "Julie A. Merkel".

Julie A. Merkel
Permitting Services Section Supervisor
Air Quality Bureau
(406) 444-3626

A handwritten signature in black ink that reads "Ed Warner".

Ed Warner
Lead Engineer – Permitting Services Section
Air Quality Bureau
(406) 444-2467

JM:EW
Enclosure

Montana Department of Environmental Quality
Air, Energy & Mining Division

Montana Air Quality Permit #5234-01

Crusoe Energy Systems, Inc. – Fletch 5-8 CTB
1660 17th Street, Suite 350
Denver, Colorado 80202

May 12, 2020



MONTANA AIR QUALITY PERMIT

Issued To: Crusoe Energy Systems Inc.
Fletch 5-8 CTB
1660 17th Street, Suite 350
Denver, CO 80202

MAQP: #5234-01
Administrative Amendment (AA) Request
Received: 3/30/2020
Department's Decision on AA: 4/24/2020
Permit Final: 5/12/2020

A Montana Air Quality Permit (MAQP), with conditions, is hereby granted to Crusoe Energy Systems Inc. (Crusoe) for the Fletch 5-8 CTB facility, 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

Crusoe is authorized to install and operate up to a 2,750 brake horsepower (bhp) engine (Emission Unit 1 (EU01)) and other engines (EU02) not exceeding a total of 3,670 bhp within the EU02 engine category at the Fletch 5-8 CTB facility. The initial application indicates a total of seven engines are planned but since this permit is written in a de minimis friendly format, the limitation is on the total horsepower permitted for the site and not the exact number of engines on site, as long as the resulting engines meet the appropriate emission factors.

Emissions from the Fletch 5-8 CTB facility consist of combustion pollutants from the associated engines after control methods applied to limit emissions which keep the facility below major permitting thresholds.

B. Plant Location

The Fletch 5-8 CTB facility is located approximately 15 miles north of Sidney, Montana, in Section 32, Township 26 North, Range 59 East, in Richland County, 47.955403°N, latitude and -104.129447°W, longitude.

C. Current Permit Action

On March 30, 2020, the Montana Department of Environmental Quality – Air Quality Bureau (Department) received a de minimis notification and administrative amendment request from Crusoe for the Fletch 5-8 CTB facility. Crusoe proposes to increase the maximum allowable combined bhp for the EU02 engine category from 3,415 to 3,670, pursuant to ARM 17.8.745(1)(a) as a de minimis change that does not increase the facility's potential to emit any individual pollutant by more than five tons per year. In accordance with ARM 17.8.745(2) and ARM 17.8.764, this action amends the MAQP to accommodate the de minimis change.

Section II: Conditions and Limitations

A. Conditions

1. Crusoe is allowed to operate the following engines (ARM 17.8.749):
 - a. A single engine (EU01) on-site with rated bhp not to exceed 2,750 bhp.
 - b. Other engines (EU02) on site in addition to EU01, with a total bhp not to exceed 3,670 bhp.
2. Crusoe 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).
3. Crusoe 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).
4. Crusoe shall not exceed the following limits determined from simultaneous testing for oxides of nitrogen (NO_x), carbon monoxide (CO) and volatile organic compounds (VOC) for EU01. Compliance test results are determined by the average of three 1-hour or longer runs (ARM 17.8.752).

EU01

NO_x – 0.15 grams per brake horsepower hour (g/bhp-hr)

CO – 0.30 g/bhp-hr

VOC – 0.010 g/bhp-hr

5. Crusoe shall operate and maintain the engines and control devices in EU02 according to the manufacturer's emission-related written instructions and keep records of conducted maintenance to demonstrate compliance in order to maintain Title 40 Code of Federal Regulations (40 CFR) 60 Subpart JJJJ certification. If certification is maintained, no performance testing is required. If Subpart JJJJ certification is lost, Crusoe shall test one model of each engine type within 365-days of losing certification and shall not exceed the following limits determined from simultaneous testing for oxides of nitrogen (NO_x), carbon monoxide (CO) and volatile organic compounds (VOC) for each engine type. Compliance test results are determined by the average of three 1-hour or longer runs (ARM 17.8.752).

Other Engines (EU02)

NO_x – 1.0 g/bhp-hr

CO – 2.0 g/bhp-hr

VOC – 0.7 g/bhp-hr

6. Crusoe shall operate each engine on site as a four-stroke rich-burn design with an Air Fuel Ratio Controller (AFR) and shall utilize a 3-way catalyst to

simultaneously control NO_x, CO and VOCs and operate following best combustion practices (ARM 17.8.752).

7. Crusoe shall comply with all applicable standards, limitations, and testing, reporting, recordkeeping and notification requirements contained in Title 40 CFR 60 Subpart A and 40 CFR 60 Subpart JJJJ (ARM 17.8.749, ARM 17.8.340, and 40 CFR 60, Subparts A and JJJJ).
8. Crusoe shall meet the applicable requirements of 40 CFR 63 Subpart ZZZZ through compliance with 40 CFR 60 Subpart JJJJ (ARM 17.8.749, ARM 17.8.342, and 40 CFR 63 Subpart ZZZZ).

B. Testing Requirements

1. For EU01, within 365 days after equipment commencement, Crusoe shall perform an initial source test on site to demonstrate compliance with the permit limits in Section II.A.4. Source testing shall be conducted simultaneously for NO_x, CO, and VOCs. Results shall be submitted to the Department to demonstrate compliance with the emission limitations in Section II. A.4 (ARM 17.8.105 and ARM 17.8.749).
2. For EU02 no compliance testing is required unless 40 CFR Subpart JJJJ certification is lost. If certification is lost on any engine, within 365 days after losing Subpart JJJJ certification, Crusoe shall perform an initial source test of each model of engine on which certification is lost to demonstrate compliance with the permit limits in Section II.A.5. Source testing shall be conducted simultaneously for NO_x, CO, and VOCs in accordance with 40 CFR 60 Subpart JJJJ. Results shall be submitted to the Department to demonstrate compliance with the emission limitations in Section II. A.5. If there are multiple duplicate models of engines on site, only one of the same model engines needs to be tested (ARM 17.8.105, ARM 17.8.749, ARM 17.8.340 and 40 CFR 60 Subpart JJJJ).
3. For EU01, following the initial source testing, simultaneous testing for NO_x, CO and VOCs shall occur every 8,760 hours or 3 years, whichever comes first after the calendar date of the initial source test, following the methods defined in 40 CFR 60 Subpart JJJJ or equivalent methods approved by the Department. Future testing shall be required on the state frequency for each model of engine on site from the date of the last source test (ARM 17.8.105, ARM 17.8.749, ARM 17.8.340 and 40 CFR 60 Subpart JJJJ).
4. For EU02, if Subpart JJJJ certification has been lost, following the initial source testing, simultaneous testing for NO_x, CO and VOCs shall occur every 8,760 hours or 3 years, whichever comes first following the methods defined in 40 CFR 60 Subpart JJJJ or equivalent methods approved by the Department (ARM 17.8.105, ARM 17.8.749, ARM 17.8.340 and 40 CFR 60 Subpart JJJJ).
5. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).

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

C. Operational Reporting Requirements

1. Crusoe 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. Crusoe 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).

3. All records compiled in accordance with this permit must be maintained by Crusoe 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. These records may be stored at a location other than the plant site upon approval by the Department (ARM 17.8.749).

D. Notification

1. Crusoe shall notify the Department in writing of the date of commencement of operation of the engines within 30-days following the date of commencement and confirm the number and type of engines placed into service.

Section III: General Conditions

A. Inspection – Crusoe shall allow the Department’s representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment such as Continuous Emission Monitoring Systems (CEMS) or Continuous Emission Rate

Monitoring Systems (CERMS), or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.

- B. Waiver – The permit and the terms, conditions, and matters stated herein shall be deemed accepted if Crusoe fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Crusoe 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 therefor, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department’s decision, unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on a permit by the Board postpones the effective date of the Department’s decision until conclusion of the hearing and issuance of a final decision by the Board. If a stay is not issued by the Board, the Department’s decision on the application is final 16 days after the Department’s decision is made.
- F. Permit Inspection – As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by the Department at the location of the source.
- G. Permit Fee – Pursuant to Section 75-2-220, MCA, failure to pay the annual operation fee by Crusoe 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
Crusoe Energy Systems Inc. – Fletch 5-8 CTB
MAQP #5234-01

I. Introduction/Process Description

Crusoe is authorized to install and operate a total of 6,420 brake horsepower (bhp) across a number of engines operating on gas which would otherwise be flared from an existing oil and gas site. A single large engine has been assigned EU01 with specific emission factors and other engines have been assigned under EU02. EU01 may be up to 2,750 bhp and EU02 may have a combined total of up to 3,670 bhp. The initial application indicates a total of seven engines are planned but since this permit is written in a de minimis friendly format, the requirement is on the total horsepower permitted for the site not the exact number of engines on site. The combustion of flare gas will provide for electrical generation.

All engines combust gas from a nearby oil and gas facility, and each engine utilizes an air fuel ratio controller and a three-way catalyst to reduce emissions.

This facility is to be located approximately 15 miles north of Sidney, Montana, in Section 32, Township 26 North, Range 59 East, in Richland County, 47.955403°N, latitude and - 104.129447°W, longitude.

The engines are located at a site where the oil and gas extraction equipment is operated under a different permittee than the engines operated by Crusoe.

A. Permit History

On October 31, 2019, Crusoe was issued **MAQP #5234-00** authorizing the installation and operation of up to a 2,750 bhp engine (EU01) and other engines (EU02) not exceeding a total of 3,415 bhp within the EU02 engine category. The initial application indicated a total of seven engines were planned but since the permit was written in a de minimis friendly format, the limitation was on the total horsepower permitted for the site and not the exact number of engines on site, as long as the resulting engines met the appropriate emission factors.

B. Current Permit Action

On March 30, 2020, the Montana Department of Environmental Quality – Air Quality Bureau (Department) received a de minimis notification and administrative amendment request from Crusoe for the Fletch 5-8 CTB facility. Crusoe proposes to increase the maximum allowable combined bhp for the EU02 engine category from 3,415 to 3,670, pursuant to ARM 17.8.745(1)(a) as a de minimis change that does not increase the facility’s potential to emit any individual pollutant by more than five tons per year. In accordance with ARM 17.8.745(2) and ARM 17.8.764, this action amends the MAQP to accommodate the de minimis change. **MAQP #5234-01** replaces MAQP #5234-00.

C. Additional Information

Additional information, such as applicable rules and regulations, Best Available Control Technology (BACT)/Reasonably Available Control Technology (RACT) determinations, air quality impacts, and environmental assessments, is included in the analysis associated with each change to the permit.

II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department 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).

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

Crusoe must not cause or contribute to a violation of any ambient air quality standard.

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, Crusoe 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, Title 40 Code of Federal Regulations (40 CFR) Part 60, Standards of Performance for New Stationary Sources (NSPS). Crusoe shall comply with any applicable NSPS.
 - a. 40 CFR 60, Subpart A. This facility is subject to Subpart A because it is also subject to Subpart 40 CFR 60 Subpart JJJJ.
 - b. 40 CFR 60, Subpart JJJJ Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The proposed engines will be ordered after June 12, 2006, and manufactured after either July 1, 2007 and July 2, 2008, as applicable based on horsepower.
 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. The Department is not aware of any subpart of 40 CFR 61 currently applicable to this facility.
 9. ARM 17.8.342 Emission Standards for Hazardous Air Pollutants for Source Categories. This rule incorporates, by reference, 40 CFR Part 63, Emission Standards for Hazardous Air Pollutants.
 - a. 40 CFR 63, Subpart A. This facility is subject to Subpart A because it is also subject to Subpart 40 CFR 63 Subpart ZZZZ.
 - b. 40 CFR 63, Subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Subpart ZZZZ applies to the new reciprocating engines but compliance with Subpart ZZZZ is demonstrated by compliance with 40 CFR 60 Subpart JJJJ.
- D. ARM 17.8, Subchapter 5 – Air Quality Permit Application, Operation, and Open Burning Fees, including, but not limited to:
1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. A fee was not required for the current permit action because it is an administrative 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. The air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

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

- E. ARM 17.8, Subchapter 7 – Permit, Construction, and Operation of Air Contaminant Sources, including, but not limited to:
1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
 2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain an air quality permit 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. Crusoe has a PTE greater than 25 tons per year of uncontrolled oxides of nitrogen (NO_x) and carbon monoxide (CO); therefore, an air quality permit is required.
 3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit program.
 4. ARM 17.8.745 Montana Air Quality Permits--Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that do not require a permit under the Montana Air Quality Permit Program.
 5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. (1) This rule requires that a permit application be submitted prior to installation, modification, or use of a source. A permit application was not required for the current permit action because the permit change is considered an administrative permit change. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. An affidavit of publication of public notice was not required for the current permit action because the permit change is considered an administrative permit change.
 6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
 7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically

practicable and economically feasible, except that BACT shall be utilized. The required BACT analysis is included in Section III of this permit analysis.

8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Crusoe 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 17.8.760 Additional Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those applications that require an environmental impact statement.
12. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or modified source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
13. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
14. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.
15. ARM 17.8.765 Transfer of Permit. This rule states that an air quality permit may be transferred from one person to another if written notice of intent to

transfer, including the names of the transferor and the transferee, is sent to the Department.

16. ARM 17.8.770 Additional Requirements for Incinerators. This rule specifies the additional information that must be submitted to the Department for incineration facilities subject to 75-2-215, Montana Code Annotated.

There are no incinerators associated with the proposed engines.

- 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 conventional pollutant.

- G. ARM 17.8, Subchapter 12 – Operating Permit Program Applicability:

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 #5234-01 for Crusoe, 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 for all HAPs.

- c. This source is not located in a serious PM₁₀ nonattainment area.
- d. This facility is likely subject to 40 CFR 60, Subpart A and Subpart JJJJ depending upon the final engines selected for installation.
- e. This facility is likely subject to 40 CFR 63, Subpart ZZZZ.
- f. This source is not a Title IV affected source, or a solid waste combustion unit.
- g. This source is not an EPA designated Title V source.

Based on these facts, the Department determined that Crusoe 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, Crusoe will be required to obtain a Title V Operating Permit.

III. BACT Determination

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

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

IV. Emission Inventory

Crusoe Energy Systems Inc., initial MAQP #5234-00

Total Emissions Summary

Company:	Crusoe Energy Systems Inc.
Facility Name:	Fletch 5-8 CTB
Facility Location:	Montana

UNCONTROLLED POTENTIAL EMISSIONS SUMMARY

Source	NOx (TPY)	CO (TPY)	VOCs (TPY)	SO2 (TPY)	PM2.5/10 (TPY)	Total PM (TPY)	Total HAPs (TPY)
1 x Waukesha 9394GSI	189.09	318.30	2.53	2.82	1.66	1.66	2.76
2 x 225 kW Doosan D14.6L	91.26	64.90	5.27	0.78	0.46	0.46	0.77
4 x 350 kW Doosan D21.9L	334.91	186.51	15.71	2.24	1.37	1.37	2.28
TOTAL =	615.27	569.71	23.51	5.85	3.50	3.50	5.80

CONTROLLED POTENTIAL EMISSIONS SUMMARY

Source	NOx (TPY)	CO (TPY)	VOCs (TPY)	SO2 (TPY)	PM2.5/10 (TPY)	Total PM (TPY)	Total HAPs (TPY)
1 x Waukesha 9394GSI	3.62	7.24	0.24	2.82	1.66	1.66	1.03
2 x 225 kW Doosan D14.6L	7.53	15.06	5.27	0.78	0.46	0.46	0.77
4 x 350 kW Doosan D21.9L	22.44	44.88	15.71	2.24	1.37	1.37	2.28
TOTAL =	33.59	67.19	21.22	5.85	3.50	3.50	4.07

** CO = carbon monoxide
HAPs = hazardous air pollutants
lb = pound
NOx = oxides of nitrogen
TPY = tons per year
VOC = volatile organic compounds
yr = year

An emissions inventory spreadsheet is located within the application files for MAQP #5234-00, received as application correspondence on August 21, 2019.

MAQP #5234-01, de minimis change to increase allowable bhp of EU02

Emissions Summary (EU02)

Source	NOx ton/yr	CO ton/yr	VOC ton/yr	SO ₂ ton/yr	PM ₁₀ /PM _{2.5} ton/yr	HAPs ton/yr
Requested Change - EU02 (total of 3670 hp)	35.44	70.88	24.81	3.53	2.16	3.61
Permitted EU02 (total of 3415 hp)	32.98	65.95	23.08	3.30	2.02	3.37
Change in Permitted Limits for EU02	2.46	4.92	1.72	0.24	0.14	0.24

1. No changes are requested for the Waukesha 9394 GSI (EU01) at this time.
2. All units under EU02 will continue to meet their certified limits under 40 CFR Part 60 Subpart JJJJ and Permit 5234-00.

V. Existing Air Quality

Richland County is currently designated as attainment/unclassifiable for all pollutants.

VI. Ambient Air Impact Analysis

The Department determined, based on the amount of allowable emissions, 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

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

Analysis Prepared By: Ed Warner

Date: April 14, 2020