

The Montana Department of Environmental Quality (Department) established an air quality registration program for certain sources of emissions, including asphalt plants. By registering, the owner or operator of an eligible facility is allowed to construct and operate the facility under the terms and conditions of Title 17, chapter 8, subchapter 18 of the Administrative Rules of Montana (ARM). The owner or operator of an eligible facility must register with the Department before beginning to operate the facility in Montana and must comply with the applicable requirements in rule. For eligible facilities, registration replaces the need to apply for or obtain an individual Montana Air Quality Permit (MAQP) prior to construction or operation.

SECTION 1: Applicability Criteria

- Who is eligible to register an Asphalt Plant?
 - A stationary or portable facility used to manufacture asphalt by heating and drying aggregate and mixing it with asphalt cement. Allowable dryer fuels are natural gas, propane, distillate fuel, waste oil, diesel, or biodiesel. Both batch mix and drum mix asphalt plants are registration eligible with the following production limits:
 - A batch mix asphalt plant must have annual production at any one location of less than 324,000 tons as a rolling 12-month total.
 - A drum mix asphalt plant must have annual production at any one location of less than 996,000 tons as a rolling 12-month total.
 - Eligible facilities must not operate any other emission units that would require an MAQP unless the owner/operator has obtained the appropriate permit.
 - Existing facilities with an MAQP must now register with the program and revoke the existing MAQP. The Registration Form includes instructions for transferring from a permit to registration.
- If I am eligible to register, must I register?
 - Yes. This registration program takes the place of individual permits for eligible facilities. All facilities that are eligible to register are required to do so instead of applying for and obtaining a MAQP. Registration-eligible facilities will no longer be given a MAQP.

SECTION 2: Registration Process Overview

- How do I register?
 - To register, the owner or operator of an existing or new asphalt plant must:
 - Download and complete the **Air Quality Registration Notification** form and **Attachment A – Location & Notice Update** found on the Department’s website. Step by step instructions for filling out these documents are found in SECTION 4 of this guidance.
 - Submit the completed documents to the Department, along with the registration processing fee, so that it is received at least 15 calendar days prior to the date you plan to begin operation. You may not operate for the first 15 days after the Department receives your complete registration unless you held a valid MAQP for the facility prior to registering with the Department.
 - Within 15 days after receipt of a registration form, the Department will publish the location(s) provided in Attachment A on the Public Engagement portion of the website at <http://deq.mt.gov/Air/PublicEngagement>.

Asphalt Plants Guidance

- How do I update an existing registration?
 - If certain changes occur at an existing registered asphalt plant, the owner or operator must work with the Department to update the registration. Examples of registration updates include:
 - **Owner/Operator Updates:** Registrations are nontransferable. If the owner or operator of a registered asphalt plant changes, the new owner or operator is responsible for ensuring that the facility is properly registered. If the new owner or operator is not already registered to operate asphalt plants under this program, the new owner or operator must register using the **Registration Notification** form as described in SECTION 4 of this guidance. If the new owner or operator is already registered to operate asphalt plants under this program, and the new facility will be operated at one of the owner or operator’s existing locations, there is no need to submit a new **Registration Notification** or any form.
 - **Deregistration:** If you will no longer operate asphalt plants in Montana and wish to be removed from the program, you must fill out a **Deregistration Notice** form and submit it to the Department to avoid being charged an annual fee.
 - **Location Updates:** For any proposed new temporary or permanent location, the owner or operator shall notify the Department using the **Attachment A – Location & Notice Update** form at least 15 days before beginning to operate at the location.

SECTION 3: Operating and Emission Control Requirements

The following operating and emission control requirements apply to all registered asphalt plants. Compliance with this registration program does not eliminate the obligation for the owner or operator to comply with other applicable federal, state, or local requirements.

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| Production Limit | Batch Mix Plants: 324,000 tons as a rolling 12-month total at any location. Drum Mix Plants: 996,000 tons as a rolling 12-month total at any location. |
| Temporary Location Limit | May not remain in the same location for more than 12 months. |
| Permanent Location Limit | Engines/Generator engines must not exceed 3,500,000 horsepower-hours (hp-hr) annually at any location. |
| Dust Control | Must be operated such that the facility does not exceed applicable limits. Site-wide control: All unpaved portions of haul roads, access roads, parking lots, and general plant areas must be treated with water or chemical dust suppressant, as necessary, to minimize dust emissions. Operating control: Each dryer or mixer is required to use control equipment capable of achieving the applicable emission limit (typically a baghouse). The control device must have mechanisms to measure pressure drop in inches of water as well as inlet and outlet exhaust temperatures. If a baghouse control device requires a bag replacement, the emitting unit must be shut down until a replacement bag is installed. |
| Opacity Limits | 20 percent opacity averaged over 6 consecutive minutes, unless superseded by more stringent applicable regulations. |
| Particulate Matter Limits | 0.04 grains per dry standard cubic feet (gr/dscf) from the main dryer exhaust |
| Additional Federal Regulations | Asphalt plants subject to <u>Title 40 Code of Federal Regulations Part 60 (40 CFR 60), Subpart I – Standards of Performance for Hot Mix Asphalt Plants</u> must comply with all applicable standards, limitations, and requirements of the NSPS. |

Asphalt Plants Guidance

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| Performance Tests | <p>Initial performance tests for particulate matter and visible emissions. Any asphalt plant operating under this registration program will need to conduct an initial emissions tests within 180 days of initial startup of a facility. If you have already completed an initial performance test, the written report of the results of the test must be presented to the Department upon request. The asphalt production rate may not exceed the average production rate during the most recent source test that demonstrated compliance. The owner or operator may retest at a higher production rate at any time.</p> <p>Additional tests. The Department has the authority to require an emissions performance test. All emissions performance tests must conform to the requirements of the Montana Source Test Protocol and Procedures Manual, which is available on the Department’s website.</p> |
| Recordkeeping | <p>Registered sources must maintain records that can be produced during an inspection for demonstrating compliance with this program. The records must also be submitted to the Department upon request. Records must include:</p> <ul style="list-style-type: none"> - The location at which the facility was operated. - Daily production rates and rolling 12-month total production. - Daily pressure drop, in inches of water. - Daily horsepower-hours of engines and rolling 12-month total horsepower hours for operations at permanent locations. |

- How is production determined?
 - Production is determined based on the amount of final product.
- How are engines regulated under the registration program?
 - Engines are only regulated at permanent locations. The owner or operator must notify the Department if equipment will operate at a location for longer than 12 months.
 - Eligible engines include generator engines and engines that are mounted on and provide power for crushers, screens, conveyors, and stackers. Engines that propel vehicles and heavy equipment do not require registration and are not counted as part of the horsepower-hours for the facility.
 - A horsepower-hour is the maximum rated horsepower of an engine multiplied by the number of hours that it operates. The horsepower-hours from all the registration eligible engines at a permanent location are added together for compliance with the limit.
- Can I collocate with a nonmetallic mineral processing (crushing/screening) plant and/or a concrete batch plant?
 - Yes, a registered asphalt plant can collocate with a nonmetallic mineral processing plant and/or a concrete batch plant that has been registered with the program. Total combined production from each of the collocated source types must comply with the program eligibility limitations:
 - Crushing and screening production cannot exceed 8,000,000 tons as a rolling 12-month total.
 - Asphalt production cannot exceed:
 - 996,000 tons as a rolling 12-month total from drum mix plants.
 - 324,000 tons as a rolling 12-month total from batch mix plants.
 - Concrete batch plant production cannot exceed 1,000,000 cubic yards as a rolling 12-month total.
 - All registration eligible engines associated with each source type at permanent locations contribute their horsepower-hours towards the program eligibility limitation. Registration eligible engines cannot exceed 3,500,000 horsepower-hours.

SECTION 4: How to fill out the Registration Notification form and Attachments

1. Registrant Information

- a. **Owner/Operator's Information** should represent the sole proprietor or parent company.
- b. **Company Name and Mailing Address** may be designated if there is a subsidiary, an assumed business name that an owner/operator is doing business as, or other such differentiation from the Owner/Operator's name. If the company name and mailing address are the same as the owner or operator, then you may simply check the box indicating this and skip to (c).
- c. **Contact Person** is the person the Department would generally correspond with regarding the day to day air quality related needs associated with a facility. Provide this person's job title and, if the contact person is not an employee of the registering owner/operator, his or her affiliation. An example of this situation would be if a consultant serves as the company's contact person.

2. Source Category Information

- a. You should check the box for each source category (or type of facility) that you are registering. You will also be asked to identify which source type will be located at each location. You are not required to specify the individual pieces of equipment that will be located at a facility, only the source type.

3. Montana Operating Location Information

- a. If you do not yet know where you will operate in Montana, you do not need to include an initial location. Check the box for "Unknown at this time" and continue to Step 4. However, before you do operate in Montana you will need to complete the following steps at least 15 days prior to operating.
- b. If you are registering locations where you will operate an asphalt plant, check the box for "Permanent and/or Temporary Locations(s) are identified in Attachment A". You must complete and submit the **Attachment A –Location Notice & Update** form to provide the Department with information about where you plan to operate. These may be locations at which you do not yet have firm plans to operate, but where you think you may operate based on anticipated bids or job sites. The Department will use the information provided to notify the public of your operations and keep track of your locations for the purpose of conducting site visits. Because this location information need not represent your final plans, you will be required to notify the Department within 10 days of commencing operation at a location to confirm occupancy. You may submit an updated version of this form to the Department to do so.
- c. Instructions for filling out **Attachment A – Location Notice & Update** are as follows:
 - i. **Owner/Operator Certification** must be filled out and signed.
 - ii. The Notice of Montana Operating Locations is where you will provide the Department with information about your proposed facility location(s). Use as many of the information blocks as necessary to cover all of your potential locations. You may attach additional sheets as necessary. Each information block must be completed as follows:
 1. **Location Name:** Provide a name for the location. This may be the name of the gravel pit or another unique name you use to track and communicate about a specific location.
 2. **Location Type:** Check the corresponding box to identify if the location is temporary or permanent.
 - a. Permanent should be checked for locations where you intend to remain for more than 12 consecutive months. At permanent locations, you will need to track the horsepower-hours of registration eligible engines and comply with the limit on cumulative horsepower-hours per rolling 12-month total.

- b. Temporary should be checked for locations where you do not intend to remain for more than 12 months. Before 12 months have elapsed, you must either remove all equipment from the temporary location or notify the Department that the location should be updated to “permanent.” The 12-month timeframe begins on the date you provide to the Department as commencement of operation when you confirm occupation of the location. Engine horsepower-hours do not need to be tracked at temporary locations. However, if you find that you need to change your registered temporary location to a permanent location, you will need to have records of your registration-eligible engines’ horsepower-hours since commencing operation at the location.
3. **Legal Description:** Provide the specific position of the location in both Township/Range/Section as well as latitude/longitude decimal degrees format.
4. **Montana Sage Grouse Conservation Program Applicability:** You must determine if your location is within sage grouse habitat as recognized by the Montana Sage Grouse Habitat Conservation Program. The Sage Grouse Program is not affiliated with this registration program; however, you must comply with any applicable requirements of the Sage Grouse Program while operating in Montana. Visit the Program’s website at <https://sagegrouse.mt.gov> and utilize the tools provided to (1) determine if your proposed locations are within sage grouse habitat and (2) consult with the Montana Sage Grouse Habitat Conservation Program about applicable requirements. Check the appropriate boxes indicating whether the location is within sage grouse habitat and, if so, whether you have contacted the MT Sage Grouse Habitat Conservation Program.
5. **Source Category to be Operated at Location:** Complete the information for each of the source categories you intend to operate at the location.
 - a. If you are providing the Department notice of your intent to operate a registered facility at the site for the first time, identify the approximate dates that you intend to operate each source type at the location, if known. Check the box in the column labeled “New”.
 - b. If you are using this form to confirm the start of operations at a location, check the box in the column labeled “Confirmation” and identify the date on which you commenced operation. This confirmation must be provided to the Department within 10 days after commencing operation of a specific source category at a location. Please work with the Department to determine the appropriate manner for providing the confirmation.
 - c. If you are using this form to notify the Department that operations of a source category have ceased at a location and all associated equipment of that source category has been removed, check the box in the column labeled “Removal” and identify the date on which you removed the equipment from the location. This notification must be provided to the Department within 10 days after removing all equipment of a single source type from a location.

4. MAQP Revocation Request

- a. If you currently hold a Montana Air Quality Permit (MAQP) for a registration-eligible facility, you must revoke your permit(s) as part of the registration process. All registration-eligible portable facilities are now required to register in lieu of permitting.
- b. Check the box indicating that you request registration in lieu of permitting and revocation of your current MAQP(s).
- c. List all your MAQPs for registration-eligible facilities and their dates of issuance. You may attach additional MAQPs on a separate page, if necessary.

Asphalt Plants Guidance

5. Registration Fee

- a. If registering on or before December 31, 2019, no registration fee is required.
- b. If registering on or after January 1, 2020, a registration fee may be due to the Department at the time of registration. As of the date of this document, the Department is developing a fee structure to cover the costs of administering this program that may include registration fees and/or annual operating fees.
- c. Make checks payable to “Montana Department of Environmental Quality.”

Be sure to sign your Air Quality Registration Form.

DISCLAIMER: This document is for guidance purposes only. It is not official rule language and does not include a comprehensive listing of all applicable regulations. Please refer to the Administrative Rules of Montana, Title 17, chapter 8, subchapter 18 at <http://www.mtrules.org/> for complete rule language.