

Exhibit 19

EQC Docket 10-2803
Judith Bush

FILED

OCT 29 2010

Bruening Rock, Inc. Application AP 7113 / Permit CT-7113

Jim Ruby, Executive Secretary
Environmental Quality Council

Bruening Rock applied for a crusher / operator permit to operate at the Rogers Rock Pit in December of 2007, not long after the mine went into operation.

It's crusher had a capacity of 1,050,000 tons / year.

The permit was issued in February of 2008.

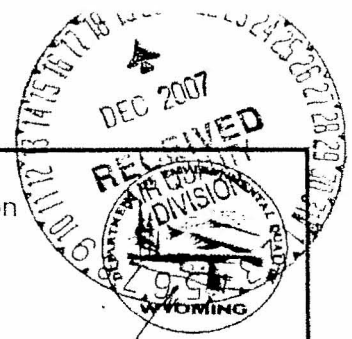
In October of 2008, Croell Redi-Mix received a Notice of Violation from the DEQ LQD for, among other things, having disturbed 20.5 acres, when its LMO permitted only 10 acres of disturbed land.

The AQD issued permits to Croell Redi-Mix which were out of all proportion with the limitations of Croell Redi-Mix AQD Permit CT-4526, the 10 acre 100,000 tons per year mine permit under which all other AQD crushing / operating permits were issued. With respect to the DEQ AQD, Croell Redi-Mix made applications to AQD (or in the case of Bruening Rock Products, Inc. applications were made on behalf of Croell Redi-Mix) for crushing capacity which should have raised a few eyebrows.

FYI The Bruening Rock, Inc. application to AQD states that the crusher will be operating under the LMO Permit 1396 ET. This was also incorrect. The Bruening Rock, Inc permit was issued by AQD under AQD Permit CT 4526. (Bruening Rock, Inc. did not file the Form 10 Application with LQD which it was required to do.

Land Quality did not permit Bruening Rock to remain as crushing operator after it issued its Notice of Violation in early November of 2008.

Reviewer RSR
Copy to:
Cynthia _____
D.F. _____



STATE OF WYOMING
1113 Department of Environmental Quality - Air Quality Division
Crushing/Screening Operations
Permit Application Form
(Please submit three (3) copies of the complete application)

Company Name: Bruening Rock Products, Inc.
Contact: Michael Root Title: Project Manager
Mailing Address: PO Box 127, 325 Washington St.
City: Deerhorn State: IA Zip: 52101
Phone: 563-382-2933 Fax: 563-382-8375 E-Mail: brpinc@netins.net

Initial Location
Legal Description: 1/4: NW 1/4: NE Section: 25 T: 52 N R: 62 W
Latitude: _____ Longitude: _____
County: CROOK

Existing Pit/Quarry: Yes No
Pit/Quarry Name: Rogers Pit Pit/Quarry Owner: Roger Crook
AQD Permit Number: 1396 ET

Type of Material Crushed/Screened: Limestone
Max. Hourly Production: 500 Tons/hr Max. Annual Production: 1,050,000.00 tons per year
Ave. Hourly Production: 350 Tons/hr
Hours of Operation: 12 Hours/day 5 Days/week 35 Weeks/year

Equipment/Operation: Crushing Screening
(mark all that apply) Wet Screening Stock Piling

Is the equipment intended for stationary or portable use: Stationary Portable

- All applications must include:
1. Documentation that the proposed site is located in accordance with proper land use planning as determined by the appropriate state or local agency charged with such responsibility. (Per Chapter 6, Section 2(c)(iv) of the WAQSR.)
 2. A map identifying the location of the site.
 3. A map identifying all haul roads, including county roads and any other unpaved roads, associated with the crushing/screening activities. Please indicate the distance material will be hauled until reaching pavement.
 4. Brief process description with a plot plan depicting site set up with location of controls.

I, MICHAEL Root, Project Manager
Responsible Official Title

state that I have knowledge of the facts herein set forth and that the same are true and correct to the best of my knowledge and belief. The facility will operate in compliance with all Wyoming Air Quality Standards and Regulations.

Signature: [Signature] Date: 12/17/07



STATE OF WYOMING
 Department of Environmental Quality - Air Quality Division
 Crushing/Screening Operations
 Crusher/Screen Form



Crusher

Primary: Secondary: Tertiary: Other: _____
 (Use additional Crusher/Screen Forms if using more than 2 crushers)
 Manufacturer: Lippmann Model #: 3048 Serial #: 200708145
 Type: Jaw Cone Impact Other Type: _____
 Date Manufactured: 2007 Max. Crusher Capacity per Hour: 500 tons
 Subject to NSPS - OOO (manufactured after August 1, 1985): Yes No

Crusher

Primary: Secondary: Tertiary: Other: _____
 (Use additional Crusher/Screen Forms if using more than 2 crushers)
 Manufacturer: Cedarlapids Model #: MUP450 Serial #: 53432
 Type: Jaw Cone Impact Other Type: _____
 Date Manufactured: 1-2006 Max. Crusher Capacity per Hour: 500 tons
 Subject to NSPS - OOO (manufactured after August 1, 1985): Yes No

Screen

~~Manufacturer: _____ Model #: _____ Serial #: _____
 Date Manufactured: _____ Type: _____
 Subject to NSPS - OOO (manufactured after August 1, 1985): Yes No
 (Use additional Crusher/Screen Forms if using more than 2 screens)~~

Screen

Manufacturer: Cedarlapids Model #: TSH7203-38 Serial #: 0531668
 Date Manufactured: 3/8/06 Type: Vibrating Flat
 Subject to NSPS - OOO (manufactured after August 1, 1985): Yes No
 (Use additional Crusher/Screen Forms if using more than 2 screens)

of Conveyor Belts: 8 Number of Transfer/Drop Points: 9

of Stockpiles: 2 Size of Stock Piles: 250,000 tons

Source Control

Sources will be controlled as follows:

	No Control	Water Spray	Chemical Dust Suppressant	Other (explain)
Feed hopper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transfer Points	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inlet to Crushers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outlet of Crushers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inlet to Screens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outlet of Screens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Haul Roads	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stockpiles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



STATE OF WYOMING
 Department of Environmental Quality - Air Quality Division
 Crushing/Screening Operations
 Generator Form



Generator #1 Information: (Use additional Generator Forms if using more than 2 Generators)
 Manufacturer: Caterpillar Model # 3412 Serial #: 81205848
 Site Horsepower Rating: 890

Fuel Type:
 Natural Gas LP Gas Diesel Gasoline
 Fuel Consumption (specify units): 44.4 gal/hr Fuel Sulfur Content (specify units): _____

Emissions Data:

	g/hp-hr	lb/hr	TPY
NO _x	_____	<u>20.824</u>	<u>21.8105</u>
CO	_____	<u>4.53</u>	<u>4.755</u>
VOC	_____	<u>1.475</u>	<u>1.497</u>
PM ₁₀	_____	<u>1.421</u>	<u>1.492</u>
SO _x	_____	<u>1.385</u>	<u>1.455</u>

Emissions Control:

Lean Burn Other Describe: _____
 AFRC
 NSCR
 SCR
 Tier I Certified
 Tier II Certified
 Tier III Certified

Generator #2 Information: (Use additional Generator Forms if using more than 2 Generators) Primary Crusher
 Manufacturer: Volvo Model #: TAB952VE Serial #: D9BA7009L2272
 Site Horsepower Rating: 328

Fuel Type:
 Natural Gas LP Gas Diesel Gasoline
 Fuel Consumption (specify units): 22 gal per hr. Fuel Sulfur Content (specify units): _____

Emissions Data:

	g/hp-hr	lb/hr	TPY
NO _x	_____	_____	_____
CO	_____	_____	_____
VOC	_____	_____	_____
PM ₁₀	_____	_____	_____
SO _x	_____	_____	_____

Emissions Control:

Lean Burn Other Describe: California Certified
 AFRC
 NSCR
 SCR
 Tier I Certified
 Tier II Certified
 Tier III Certified

Additional Information:

Please use the following hierarchy for determining emissions from generators

1. g/hp-hr emission rates based on manufacturer's information. Provide a copy of the manufacturer's information with the application.
2. g/hp-hr emission rates based on actual test data. Provide a copy of the test report with the application.
3. Emission factors. Documentation from the manufacturer must be provided with the application stating no emission factors are available for the generator before the Division will accept other emission factors such as AP-42.



STATE OF WYOMING
Department of Environmental Quality - Air Quality Division
Crushing/Screening Operations
Emission Summary Form



Fill out this portion of the form for every emission source (existing & proposed)

Source	PM ₁₀	NO _x	CO	VOC	SO ₂
	TPY	TPY	TPY	TPY	TPY
Total					

FORM: AQD-CS4

Excel Format

REVISED: December 2004

ATTACHMENT "A"
ATTACHMENT 6
ATTACHMENT 7

ZIEGLER



ZIEGLER POWER SYSTEMS
801 WEST 94TH STREET
MINNEAPOLIS, MINNESOTA 55420-4889
612/885-4121

March 2, 1994

(Diesel-Fueled IC)

Bruening Rock Products
P. O. Box 127
Decorah, IA 52101

Attn: Mr. Mike Root

Gentlemen:

The following guaranteed emissions information has been provided to us by Caterpillar. These figures are based on the engine running at 100% load, operating 8,760 hours per year, set at standard production timing.

Unit Manufacturer/Model	<u>Caterpillar 3412 Generator Set</u>
Mechanical Rating <u>890</u> HP	Electrical Rating <u>600</u> KW Prime
Fuel <u>Diesel</u>	Rated Fuel Consumption <u>44.4</u> Gal./Hour
Flue/Stack Gas Exit Volume	<u>5229</u> ACFM at Engine <i>vel = $\frac{5229}{349} = 14.98$</i>
Flue/Stack Gas Exit Temp.	<u>1100</u> Degrees F. at Engine <i>$A = R \left(\frac{V_{exit}}{20} \right)^2 = 349$</i>
Exhaust Stack Height from Ground Elevation to Stack Outlet	<u>13 1/2</u> Ft.
Engine Exhaust Flange I.D.	<u>8.0</u> In. (2 Outlet Flanges)
Exhaust Stack Outlet Dia.	<u>8.0</u> In.
Noise Level-Engine, Radiator (excluding Exhaust)-at 400 Ft.	Less than <u>55</u> dB(A)
Particulate Matter (PM)	<u>.39</u> Lbs./Hour
PM10	<u>Less than PM</u> Lbs./Hour
Sulfur Dioxide (SO ₂)	<u>1.2</u> Lbs./Hour
Nitrogen Oxides (NO _x)	<u>14.03</u> Lbs./Hour
Volatile Organic Compounds (VOC)	<u>.23</u> Lbs./Hour

- 2 -

Hydrocarbons (HC)	<u>.567</u>	Lbs./Hour
Carbon Monoxide (Co)	<u>3.74</u>	Lbs./Hour
Lead Compounds (Pb)	<u>0</u>	Lbs./Hour
Water (H ₂ O)	<u>388.0</u>	Lbs./Hour

Sincerely,

David R. Shellenberger
Vice President & General Manager

DRS:jh

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

2006 Model Year Certificate of Conformity

Manufacturer: AB VOLVO PENTA
 Engine Family: 6VPXL09.4BAA
 Certificate Number: VPX-NRCL-06-02
 Intended Service Class: NR 7 (225-450)
 Fuel Type: DIESEL
 FELs: NMHC+NOx: N/A NOx: N/A PM: N/A
 Effective Date: 11/14/2005
 Date Issued: NOV 14 2005

Merrylin Zaw-Mon for

Merrylin Zaw-Mon, Director
 Compliance and Innovative Strategies Division
 Office of Transportation and Air Quality

Pursuant to Section 213 of the Clean Air Act (42 U.S.C. section 7547) and 40 CFR Part 89, and subject to the terms and conditions prescribed in those provisions, this certificate of conformity is hereby issued with respect to the test engines which have been found to conform to applicable requirements and which represent the following nonroad engines, by engine family, more fully described in the documentation required by 40 CFR Part 89 and produced in the stated model year.

This certificate of conformity covers only those new nonroad compression-ignition engines which conform in all material respects to the design specifications that applied to those engines described in the documentation required by 40 CFR Part 89 and which are produced during the model year stated on this certificate of the said manufacturer, as defined in 40 CFR Part 89.

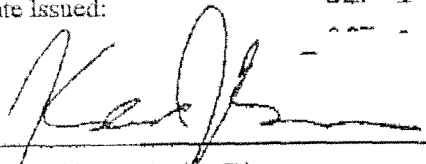
It is a term of this certificate that the manufacturer shall consent to all inspections described in 40 CFR 89.129-96 and 89.506-96 and authorized in a warrant or court order. Failure to comply with the requirements of such a warrant or court order may lead to revocation or suspension of this certificate for reasons specified in 40 CFR Part 89. It is also a term of this certificate that this certificate may be revoked or suspended or rendered void ab initio for other reasons specified in 40 CFR Part 89.

This certificate does not cover nonroad engines sold, offered for sale, or introduced, or delivered for introduction, into commerce in the U.S. prior to the effective date of the certificate.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

2007 Model Year Certificate of Conformity

Manufacturer: AB VOLVO PENTA
 Engine Family: 7VPXL09.4BAA
 Certificate Number: VPX-NRCI-07-01
 Intended Service Class: NR 7 (225-450)
 Fuel Type: DIESEL
 FELs: NMHC+NOx: N/A NOx: N/A PM: N/A
 Effective Date: 8/9/2006
 Date Issued: SEP 11 2006



Karl J. Simon, Acting Director
 Compliance and Innovative Strategies Division
 Office of Transportation and Air Quality

Pursuant to Section 213 of the Clean Air Act (42 U.S.C. section 7547) and 40 CFR Part 89, and subject to the terms and conditions prescribed in those provisions, this certificate of conformity is hereby issued with respect to the test engines which have been found to conform to applicable requirements and which represent the following nonroad engines, by engine family, more fully described in the documentation required by 40 CFR Part 89 and produced in the stated model year.

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This certificate does not cover nonroad engines sold, offered for sale, or introduced, or delivered for introduction, into commerce in the U.S. prior to the effective date of the certificate.

Crook County Land Use Planning & Zoning Commission
P.O. Box 37
Sundance, WY 82729

October 10, 2006

Croell Redi-Mix
P.O. Box 1352
Sundance, WY 82729

Attention: Julie Ewing, Safety Director

Dear Julie:

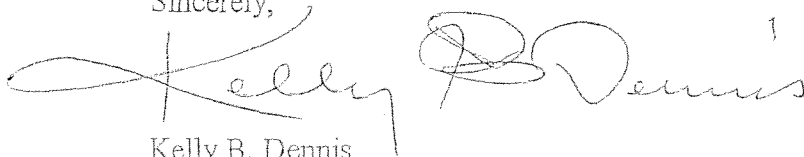
Per your request, we reviewed information on the permit application form for Croell Redi-Mix to establish a rock quarry/limestone crushing operation on 10 acres east of Sundance (Section 25, Township 52N, Range 62W).

The 1998 Land Use Plan for Crook County (as amended 12/4/02 and 2/5/03), recognizes that there are a variety of minerals extracted for commercial use in the County and that "Crook County will strive to promote responsible mining and mineral exploration as an important, historic multiple use" (page 8, 5. ENERGY & MINERAL RESOURCES).

Crook County recognizes that there is potential for wear and tear on roads in the area of the limestone pit. We strongly encourage Croell Redi-Mix to work cooperatively with the County to assist with road maintenance.

Crook County supports mining activities as long as permit conditions are met. Also, operation of this proposed pit, as described in the permit information, will not violate any land use or zoning regulations in Crook County.

Sincerely,

A handwritten signature in cursive script that reads "Kelly B. Dennis". The signature is written in dark ink and is positioned above the typed name.

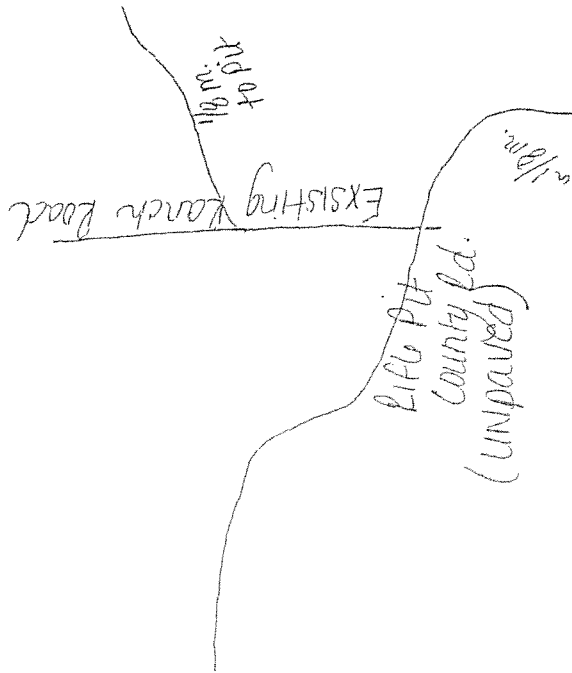
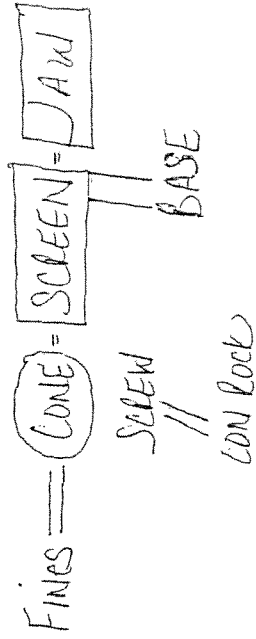
Kelly B. Dennis
Chair

PLT set up plan

2

blasting Area

CONTROL VAN
gen set

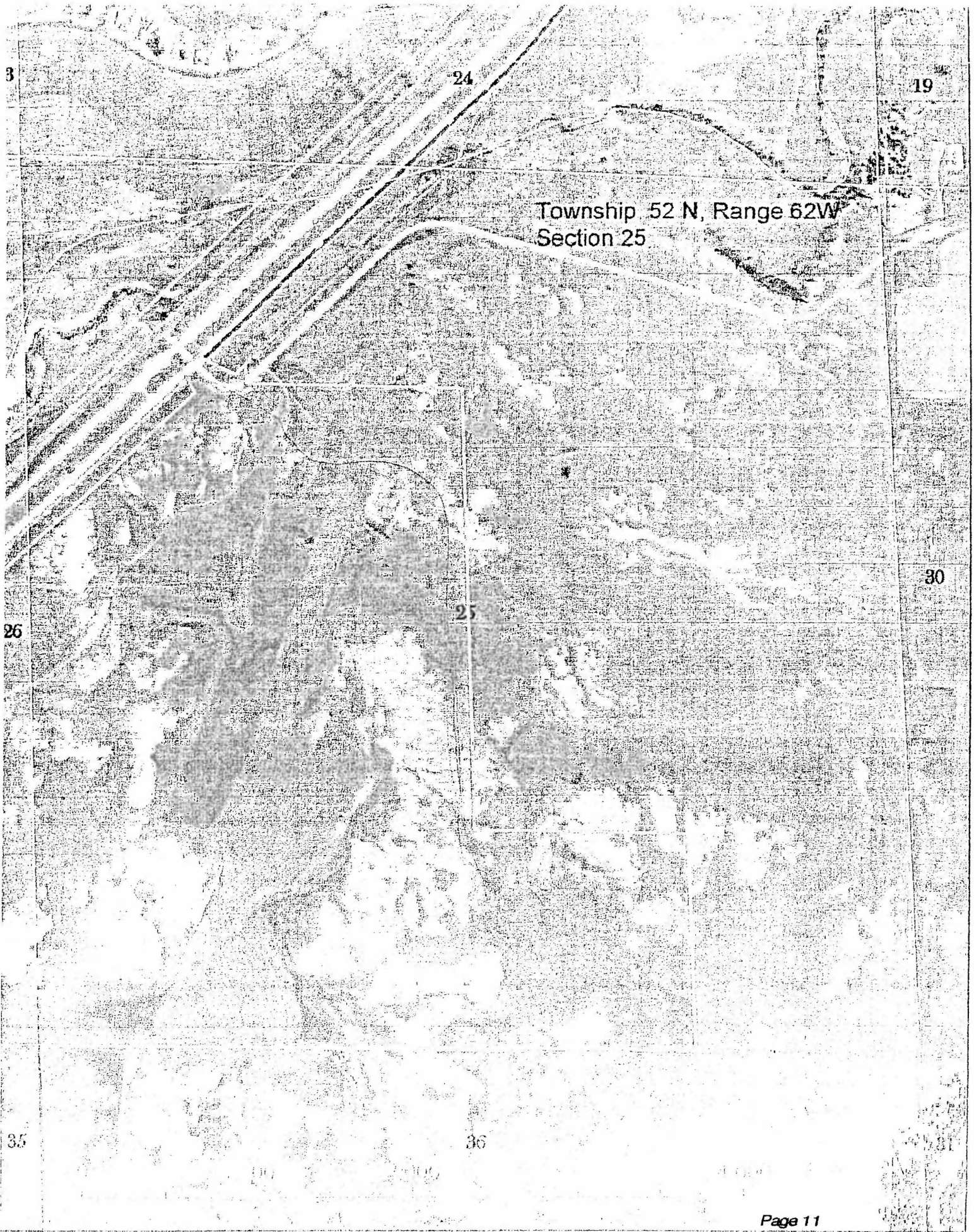


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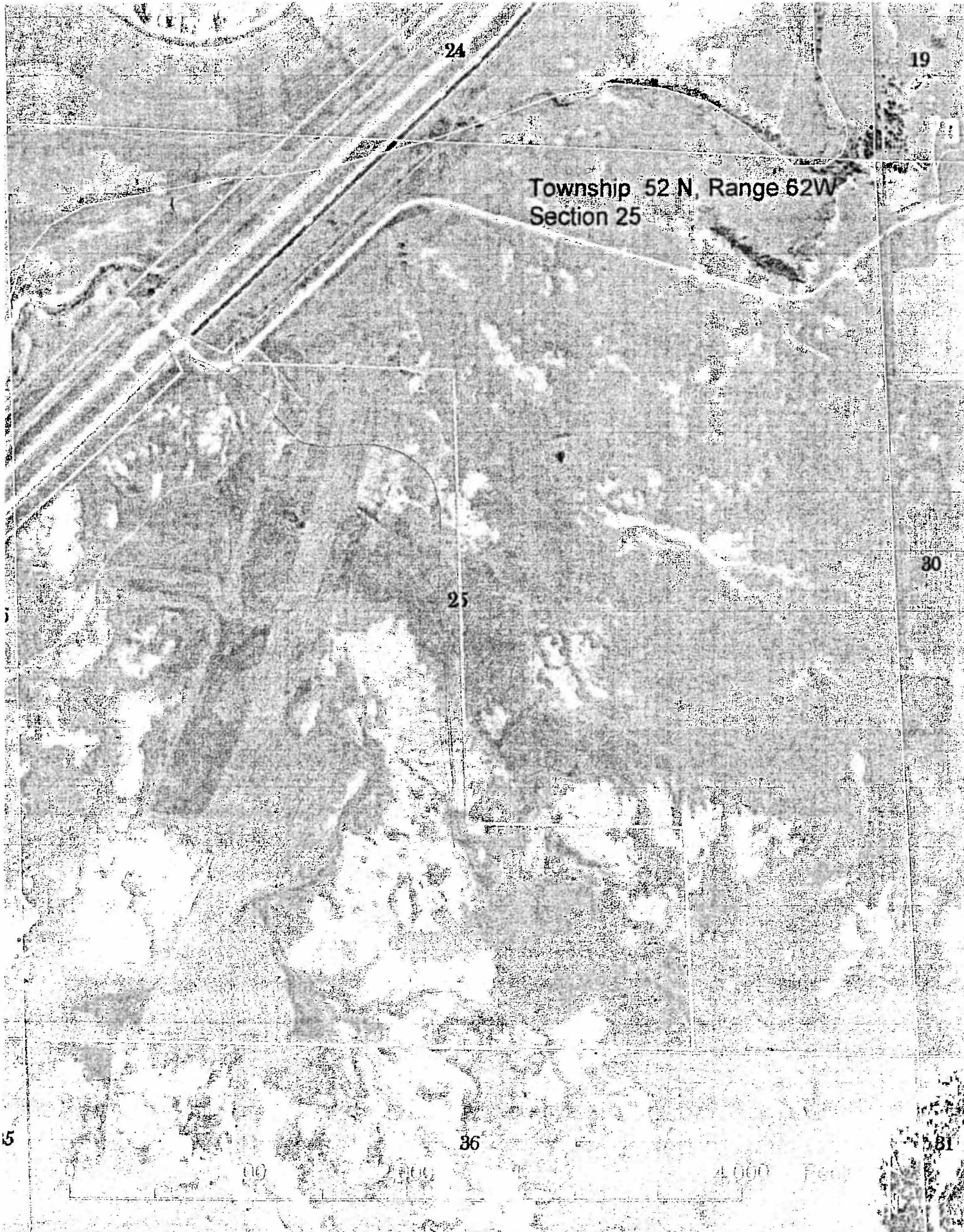
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11



Township 52 N, Range 62W
Section 25

Oil and gas tract located in the NW 1/4 of SW 1/4 Section 25



Township 52 N, Range 62W
Section 25

Pit will be located in the NW 1/4 NE 1/4 of SW 1/4 Section 25

January 3, 2008

Analysis & Draft Public Notice

Dave _____

Chad MP 1/10/08

Company: Bruening Rock Products, Inc.

Application #: AP-7113

Major Source (Chapter 6, Section 3): Yes No

Operating Permit Status:

Comments:

Rita,
Minor Revisions Darla 1/3/08

<p>Major Emitting Facility (before or after permit) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If no, no need to answer other questions</p>
<p>• PSD Permit Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, Copy of analysis and PN need to be sent to the following, if checked: <input type="checkbox"/> EPA <input type="checkbox"/> Forest Service <input type="checkbox"/> National Park Service <input type="checkbox"/> _____</p> <p>• Analysis involve "netting" to avoid PSD Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, PN package to EPA</p> <p>• Analysis involve reducing their potential emissions (synthetic minor) to avoid PSD Yes <input type="checkbox"/> No <input type="checkbox"/></p>

NSR Tracking Info	
Publish Date:	<u>Thur 1/24</u>
End Date:	<u>Mon 2/25</u>
News Paper:	<u>Sundance Times</u>
Initial Invoice: Yes <input type="checkbox"/> No <input type="checkbox"/>	Faxed: <input type="checkbox"/>
Initial Invoice Paid	_____

cc: Bob Gill
Page 13
Mike Warren

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

Permit Application Analysis
AP-7113

January 3, 2008

NAME OF FIRM: Bruening Rock Products, Inc.

NAME OF MINE: Roger's Rock Pit

LOCATION OF MINE: NW1/4 NE1/4 of Section 25, T52N, R62W
Crook County, Wyoming

TYPE OF OPERATION: Crushing/screening equipment

RESPONSIBLE OFFICIAL: Michael Root, Project Manager

MAILING ADDRESS: P.O. Box 127
Decorah, IA 52101

TELEPHONE: (563) 382-2933

REVIEWING ENGINEER: Rita Piroutek, Air Quality Engineer

PURPOSE OF APPLICATION:

On December 19, 2007, the Division of Air Quality received an application from Bruening Rock Products, Inc. to install portable crushing/screening equipment with an initial location at the Roger's Rock Pit in the NW1/4NE1/4 of Section 25, T52N, R62W, approximately eight (8) miles east-northeast of Sundance, in Crook County, Wyoming. Maximum production for the crushing/screening train is reported at 1,050,000 tons per year and 500 tons per hour. Croell Redi-Mix holds Permit CT-4526 for the Roger's Rock Pit.

PROPOSED EQUIPMENT:

- 2007 Lippmann 3048 jaw crusher, SN: 200708145 (primary crusher)
- 2006 Cedar Rapids MVP 450 cone crusher, SN: 53432 (secondary crusher)
- 2006 Cedar Rapids TSH 7203-38 vibrating flat screen, SN: 053668
- 890 hp Caterpillar 3412 diesel generator, SN: 81Z05843
- 328 hp Volvo TAB952VE diesel generator, SN: D9BA7009L2272
- Eight (8) conveyor belts

PERMIT HISTORY:

The Roger's Rock Pit has been permitted by CT-4526, issued February 13, 2007, as a limestone mine.

A facility location map is included in Appendix A.

ESTIMATED EMISSIONS:

The pollutants of concern are fugitive particulate matter emitted from the crushing/screening equipment operation. The Division estimated emissions based on EPA document, AP-42, "Compilation of Emission Factors". Application of water during the crushing and screening operations is credited for 50% control efficiency. Table 1 lists emission factors for the generator. Table 2 lists the estimated emissions from the generators, crushing/screening equipment, and conveyor belt operations with nine (9) conveyor transfer/drop points, based on 1,050,000 tpy of produced material. The major pollutants emitted from the two (2) generators include nitrogen oxides (NO_x) with some carbon monoxide (CO) from incomplete combustion. Volatile organic compounds (VOCs), including some hazardous air pollutants (HAPs), and sulfur oxides (SO_x) will also be emitted from the generators. The generators will be diesel fired. Emission calculations are detailed in Appendix B.

Table 1: Emission Factors (g/hp-hr)

Engine	hp	Controls	NO _x	CO	VOC	TSP	SO _x
Caterpillar 3412 diesel generator	890	-	7.2	1.9	0.1	0.2	0.6
Volvo TAB952VE diesel generator	328	Tier 3	3.0	2.6	1.0	0.15	0.9 ¹

¹ There are no emission factors for SO_x under the EPA Tier 1-3 Nonroad Diesel Engine Emission Standards. The emission factor was determined from AP-42 Table 3.3-1 – *Emission Factors For Uncontrolled Gasoline And Diesel Industrial Engines*

Table 2: Estimated Emissions, tpy¹

Source	TSP	PM ₁₀	NO _x	CO	VOC	SO _x
2007 Lippmann 3048 jaw crusher	1.4	0.6	-	-	-	-
2006 Cedar Rapids MVP 450 cone crusher	1.4	0.6	-	-	-	-
2006 Cedar Rapids TSH 7203-38 screen	6.6	2.3	-	-	-	-
Nine (9) conveyor transfer/drop points	7.1	2.6	-	-	-	-
Caterpillar 3412 diesel generator ²	0.4	-	14.7	3.9	0.2	1.3
Volvo TAB952VE diesel generator ²	0.1	-	2.3	2.0	0.8	0.7
Total Emissions	17.0	6.1	17.0	5.9	1.0	2.0

¹ Emissions estimated to nearest 0.1 ton.

² Based on 2,100 hours of operation per year.

BEST AVAILABLE CONTROL TECHNOLOGY (BACT):

BACT for crushing/screening operations shall consist of a wet suppression system to control fugitive emissions from the crushing/screening equipment and shall be operated to the extent necessary to limit visible emissions to fifteen (15) percent opacity.

The Caterpillar 3412 diesel generator will be limited to 2,100 hours of operation per year. The Division considers limiting operating hours as representing BACT for this type of generator.

The Volvo TAB952VE diesel generator will meet Tier 3 emission standards for non-road diesel engines. The Division considers meeting Tier 3 emission standards as representing BACT for this type of generator.

CHAPTER 6, SECTION 3 APPLICABILITY:

The crushing/screening equipment is not a “major source” as defined by Chapter 6, Section 3 of the Wyoming Air Quality Standards and Regulations (WAQSR). Emissions do not exceed the 100 tpy threshold of any regulated pollutant.

NEW SOURCE PERFORMANCE STANDARDS (NSPS):

40 CFR, Part 60, Subpart OOO – “Standards of Performance for Nonmetallic Mineral Processing Plants” limits the opacity to 15% from the crushers and to 10% from all other affected sources (screen, conveyors). The portable crushing/screening equipment is subject to 40 CFR, Part 60, Subpart OOO because the proposed 2007 Lippmann 3048 jaw crusher and 2006 Cedar Rapids MVP 450 cone crusher were manufactured after August 31, 1983 and each has a production rate of over 150 tons per hour. Because the crushing/screening equipment will have to comply with Subpart OOO, the 2006 Cedar Rapids TSH 7203-38 vibrating flat screen at the site has to comply with Subpart OOO.

PREVENTION OF SIGNIFICANT DETERIORATION (PSD):

The proposed crushing/ screening equipment is not a “major emitting facility” as defined by Chapter 6, Section 4 of the Wyoming Air Quality Standards and Regulations. Therefore, further analysis is not required under this section.

AMBIENT AIR QUALITY:

It is the Division’s experience that ambient air quality standards will be maintained with the utilization of the control measures recognized as BACT for crushing/screening equipment operations.

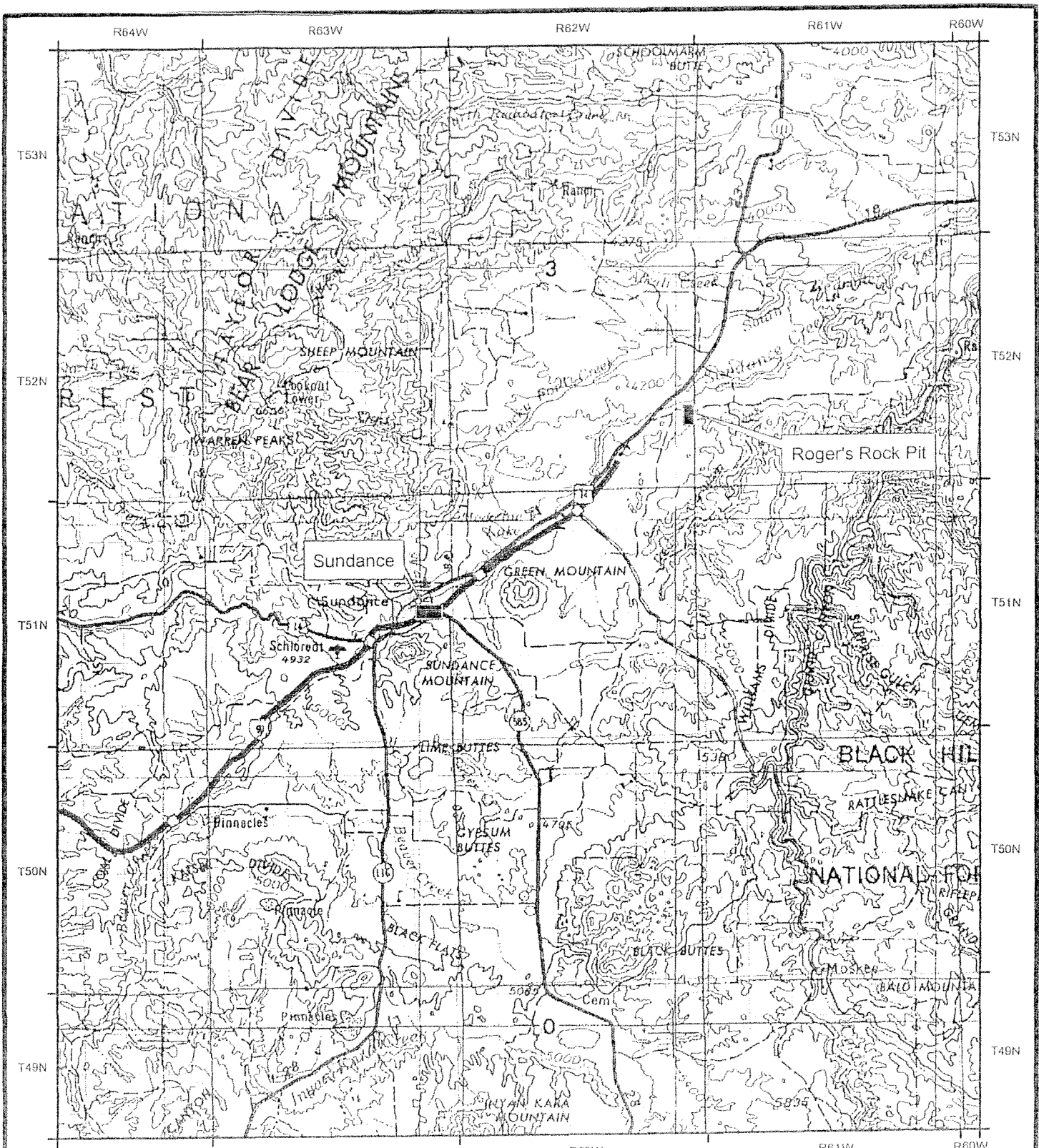
PROPOSED PERMIT CONDITIONS:

The Division is proposing to issue a construction permit to Bruening Rock Products, Inc. for the portable crushing/screening equipment subject to the following conditions:

1. Authorized representatives of the Division of Air Quality shall be given permission to enter and inspect any property, premise or place on or at which an air pollution source is located or is being constructed or installed for the purpose of investigating actual or potential sources of air pollution, and for determining compliance or non-compliance with any rules, standards, permits or orders.
2. All substantive commitments and descriptions set forth in the application for this permit, unless superseded by a specific condition of this permit, are incorporated herein by this reference and are enforceable as conditions of this permit.
3. All notifications, reports and correspondence associated with this permit shall be submitted to the Stationary Source Compliance Program Manager, Air Quality Division, 122 West 25th Street, Cheyenne, WY 82002.

4. That the allowable opacity for fugitive emissions associated with the crushing/screening equipment shall be limited to 15%, the allowable opacity for screen, conveyor transfer points and other fugitive emission points shall be limited to 10% as determined by 40 CFR, Part 60, Appendix A, Method 9.
5. That the crushing/screening equipment shall be equipped with a wet suppression system to control fugitive emissions from the crushing/screening equipment. The wet suppression system shall operated to the extent necessary comply with the allowable opacity limits established in condition 4.
6. That all unpaved portions of the haul roads, access roads, work areas and stockpiles associated with this crushing equipment shall be treated with water and/or chemical dust suppressants on a schedule sufficient to control fugitive dust from vehicular traffic and wind erosion.
7. That Bruening Rock Products, Inc. shall comply with all applicable requirements of 40 CFR Part 60, Subpart OOO.
8. That the Volvo TAB952VE diesel generator shall be certified to meet EPA Tier 3 emission levels.
9. In accordance with Chapter 6, Section 2(b)(ii) of the WAQSR, Bruening Rock Products, Inc. shall submit a "self-issuance" relocate permit for each new location. Such permit shall be executed and copies provided to the Air Quality Division prior to operation at the new location. A fee will be assessed upon issuance of the relocation permit.
10. Bruening Rock Products, Inc. shall keep a copy of the permit, the relocation permit, and the Tier 3 certification for the Volvo TAB952VE diesel generator with the portable crushing/screening equipment at all times.

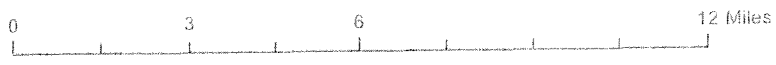
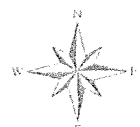
APPENDIX A
Facility Location Map



Bruening Rock Products, Inc.

Roger's Rock Pit

NW1/4 NE1/4 of Section 25, T52N, R62W



APPENDIX B

Emission Estimates

CRUSHING EMISSIONS

Based on a 1,050,000 tpy maximum production rate, TSP and PM₁₀ emissions associated with crushing operations were estimated as follows:

Crushing: 0.0054 lb/ton TSP, 0.0024 lb/ton PM₁₀
AP-42 Table 11.19.2-2 8/04

$$\text{TSP Emissions} = \frac{1,050,000 \frac{\text{ton}}{\text{year}} \times 0.0054 \frac{\text{lb}}{\text{ton}} \times (1 - 0.50)}{2,000 \frac{\text{lb}}{\text{ton}}} = 1.42 \frac{\text{ton}}{\text{year}} \text{ (50\% control)}$$

$$\text{PM}_{10} \text{ Emissions} = \frac{1,050,000 \frac{\text{ton}}{\text{year}} \times 0.0024 \frac{\text{lb}}{\text{ton}} \times (1 - 0.50)}{2,000 \frac{\text{lb}}{\text{ton}}} = 0.63 \frac{\text{ton}}{\text{year}} \text{ (50\% control)}$$

SCREENING EMISSIONS:

Based on a 1,050,000 tpy maximum production rate, TSP and PM₁₀ emissions associated with screening operations were estimated as follows:

Screening: 0.025 lb/ton TSP, 0.0087 lb/ton PM₁₀
AP-42 Table 11.19.2-2 8/04

$$\text{TSP Emissions} = \frac{1,050,000 \frac{\text{ton}}{\text{year}} \times 0.025 \frac{\text{lb}}{\text{ton}} \times (1 - 0.50)}{2,000 \frac{\text{lb}}{\text{ton}}} = 6.56 \frac{\text{ton}}{\text{year}} \text{ (50\% control)}$$

$$\text{PM}_{10} \text{ Emissions} = \frac{1,050,000 \frac{\text{ton}}{\text{year}} \times 0.0087 \frac{\text{lb}}{\text{ton}} \times (1 - 0.50)}{2,000 \frac{\text{lb}}{\text{ton}}} = 2.28 \frac{\text{ton}}{\text{year}} \text{ (50\% control)}$$

CONVEYOR TRANSFER POINT EMISSIONS:

Based on a 1,050,000 tpy maximum production rate, TSP and PM₁₀ emissions associated with nine (9) conveyor transfer points were estimated as follows:

Conveyor transfer point: 0.0030 lb/ton TSP, 0.0011 lb/ton PM₁₀
AP-42 Table 11.19.2-2 8/04

$$\text{TSP Emissions} = \frac{1,050,000 \frac{\text{ton}}{\text{year}} \times 0.0030 \frac{\text{lb}}{\text{ton}} \times (1 - 0.50)}{2,000 \frac{\text{lb}}{\text{ton}}} = 0.79 \frac{\text{ton}}{\text{year}} \text{ (50\% control) per transfer point}$$

$$\text{TSP Emissions} = 0.79 \text{ tpy} \times 9 \text{ transfer points} = 7.1 \text{ tpy}$$

$$\text{PM}_{10} \text{ Emissions} = \frac{1,050,000 \frac{\text{ton}}{\text{year}} \times 0.0011 \frac{\text{lb}}{\text{ton}} \times (1 - 0.50)}{2,000 \frac{\text{lb}}{\text{ton}}} = 0.29 \frac{\text{ton}}{\text{year}} \text{ (50\% control) per transfer point}$$

point

$$\text{PM}_{10} \text{ Emissions} = 0.29 \text{ tpy} \times 9 \text{ transfer points} = 2.61 \text{ tpy}$$

GENERATOR EMISSIONS:

Hours of Operation: 2,100 hours per year for each diesel generator

890 hp Caterpillar 3412 diesel generator:

Emission Summary ¹					
Source	NO _x	CO	VOC	TSP	SO _x
	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)
Caterpillar 3412diesel generator	14.03	3.74	0.23	0.39	1.2

¹ Emissions from manufacturer's data

$$\text{NO}_x \text{ Emissions} = \frac{14.03 \frac{\text{lb}}{\text{hr}}}{2000 \frac{\text{lb}}{\text{ton}}} \times 2,100 \text{ hours} = 14.73 \text{ tpy}$$

$$\text{NO}_x \text{ Emission Factor} = \frac{14.03 \frac{\text{lb}}{\text{hr}}}{890 \text{ hp}} \times 453.59 \frac{\text{g}}{\text{lb}} = 7.15 \frac{\text{g}}{\text{hp} - \text{hr}}$$

$$\text{CO Emissions} = \frac{3.74 \frac{\text{lb}}{\text{hr}}}{2000 \frac{\text{lb}}{\text{ton}}} \times 2,100 \text{ hours} = 3.93 \text{ tpy}$$

$$\text{CO Emission Factor} = \frac{3.74 \frac{\text{lb}}{\text{hr}}}{890 \text{ hp}} \times 453.59 \frac{\text{g}}{\text{lb}} = 1.90 \frac{\text{g}}{\text{hp} - \text{hr}}$$

$$\text{VOC Emissions} = \frac{0.23 \frac{\text{lb}}{\text{hr}}}{2000 \frac{\text{lb}}{\text{ton}}} \times 2,100 \text{ hours} = 0.24 \text{ tpy}$$

$$\text{VOC Emission Factor} = \frac{0.23 \frac{\text{lb}}{\text{hr}}}{890 \text{ hp}} \times 453.59 \frac{\text{g}}{\text{lb}} = 0.12 \frac{\text{g}}{\text{hp} - \text{hr}}$$

$$\text{TSP Emissions} = \frac{0.39 \frac{\text{lb}}{\text{hr}}}{2000 \frac{\text{lb}}{\text{ton}}} \times 2,100 \text{ hours} = 0.41 \text{ tpy}$$

$$\text{TSP Emission Factor} = \frac{0.39 \frac{\text{lb}}{\text{hr}}}{890 \text{ hp}} \times 453.59 \frac{\text{g}}{\text{lb}} = 0.20 \frac{\text{g}}{\text{hp} - \text{hr}}$$

$$\text{SO}_x \text{ Emissions} = \frac{1.2 \frac{\text{lb}}{\text{hr}}}{2000 \frac{\text{lb}}{\text{ton}}} \times 2,100 \text{ hours} = 1.26 \text{ tpy}$$

$$\text{SO}_x \text{ Emission Factor} = \frac{1.2 \frac{\text{lb}}{\text{hr}}}{890 \text{ hp}} \times 453.59 \frac{\text{g}}{\text{lb}} = 0.6 \frac{\text{g}}{\text{hp-hr}}$$

Volvo TAB952VE diesel generator:

Emission Factors							
Source	Power (hp)	Control	NO _x (g/hp-hr)	CO (g/hp-hr)	VOC (g/hp-hr)	TSP (g/hp-hr)	SO _x (g/hp-hr)
Volvo TAB952VE diesel generator	328	Tier 3	3.0	2.6	1.0	0.15	0.9 ¹

¹ There are no emission factors for SO_x under the EPA Tier 1-3 Nonroad Diesel Engine Emission Standards, the emission factor was determined from AP-42 Table 3.3-1 – *Emission Factors For Uncontrolled Gasoline And Diesel Industrial Engines*

$$\text{NO}_x \text{ Emissions} = 3.0 \frac{\text{g}}{\text{hp-hr}} \times 2,100 \frac{\text{hr}}{\text{yr}} \times \frac{1 \text{ lb}}{453.59 \text{ g}} \times \frac{1 \text{ ton}}{2000 \text{ lb}} \times 328 \text{ hp} = 2.27 \frac{\text{ton}}{\text{yr}}$$

$$\text{CO Emissions} = 2.6 \frac{\text{g}}{\text{hp-hr}} \times 2,100 \frac{\text{hr}}{\text{yr}} \times \frac{1 \text{ lb}}{453.59 \text{ g}} \times \frac{1 \text{ ton}}{2000 \text{ lb}} \times 328 \text{ hp} = 1.97 \frac{\text{ton}}{\text{yr}}$$

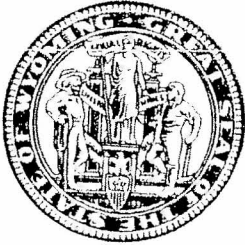
$$\text{VOC Emissions} = 1.0 \frac{\text{g}}{\text{hp-hr}} \times 2,100 \frac{\text{hr}}{\text{yr}} \times \frac{1 \text{ lb}}{453.59 \text{ g}} \times \frac{1 \text{ ton}}{2000 \text{ lb}} \times 328 \text{ hp} = 0.76 \frac{\text{ton}}{\text{yr}}$$

$$\text{TSP Emissions} = 0.15 \frac{\text{g}}{\text{hp-hr}} \times 2,100 \frac{\text{hr}}{\text{yr}} \times \frac{1 \text{ lb}}{453.59 \text{ g}} \times \frac{1 \text{ ton}}{2000 \text{ lb}} \times 328 \text{ hp} = 0.11 \frac{\text{ton}}{\text{yr}}$$

SO_x Emission factor from AP-42 Table 3.3-1 – *Emission Factors For Uncontrolled Gasoline And Diesel Industrial Engines* is 0.00205 lb/hp-hr.

$$\text{SO}_x \text{ Emission factor} = 0.00205 \frac{\text{lb}}{\text{hp-hr}} \times 453.59 \frac{\text{g}}{\text{lb}} = 0.9 \frac{\text{g}}{\text{hp-hr}}$$

$$\text{SO}_x \text{ Emissions} = 0.9 \frac{\text{g}}{\text{hp-hr}} \times 2,100 \frac{\text{hr}}{\text{yr}} \times \frac{1 \text{ lb}}{453.59 \text{ g}} \times \frac{1 \text{ ton}}{2000 \text{ lb}} \times 328 \text{ hp} = 0.68 \frac{\text{ton}}{\text{yr}}$$



Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

January 10, 2008

Mr. Michael Toot
Project Manager
Bruening Rock Products, Inc.
PO Box 127
Decorah, IA 52101

CERTIFIED – RETURN RECEIPT REQUESTED
Notice of Publication
Permit Application AP-7113

Dear Mr. Toot:

The Division of Air Quality has completed its initial evaluation of your permit application to install portable crushing/screening equipment with an initial location at the Roger's Rock Pit in the NW1/4NE1/4 of Section 25, T52N, R62W, approximately eight (8) miles east-northeast of Sundance, in Crook County, Wyoming. Maximum production for the crushing/screening train is reported at 1,050,000 tons per year and 500 tons per hour. Croell Redi-Mix holds Permit CT-4526 for the Roger's Rock Pit.

A copy of the public notice and of our evaluation is enclosed for your information. I would recommend that you review the proposed permit conditions associated with the Division's proposed approval. The Public Notice will appear in the January 24, 2008 issue of the Sundance Times, Sundance, Wyoming.

A copy of our evaluation and of your permit application will be kept on file for a thirty (30) day public inspection and comment period. At the end of this period, we will consider all comments made concerning your application and a final decision will be made on your application.

Per Chapter 6, Section 2(o) of the Wyoming Air Quality Standards & Regulations an initial billing is attached for the costs incurred by the Department in reviewing the application. Payment of the initial fee is required prior to permit issuance. An additional fee and any adjustments required to the initial fee shall be made upon permit issuance to cover any additional costs associated with final permit issuance, including costs of public notice, holding public hearings, reviewing public comments and final issuance of permit.

If you should have any questions concerning this matter, please feel free to contact me.

Sincerely,

Andrew Keyfauber
NSR Permit Engineer
Air Quality Division

cc: Mike Warren
Bob Gill



STATE OF WYOMING

Department of Environmental Quality/Division of Air Quality

PUBLIC NOTICE

Chapter 6, Section 2(m) of the Wyoming Air Quality Standards and Regulations provides that prior to final determination on an application to construct a new source, opportunity be given for public comment and/or public hearing on the information submitted by the owner or operator and on the analysis underlying the proposed approval or disapproval. The regulation further requires that such information be made available in at least one location in the affected air quality control region, and that the public be allowed a period of thirty (30) days in which to submit comments. A public hearing will be conducted only if in the opinion of the administrator sufficient interest is generated or if an aggrieved party so requests.

Notice is hereby given that the State of Wyoming, Department of Environmental Quality, Division of Air Quality, proposes to approve a request by the following applicant to construct a new source in Crook County, Wyoming.

Bruening Rock Products, Inc.
PO Box 127
Decorah, IA 52101

The applicant has requested permission to install portable crushing/screening equipment with an initial location at the Roger's Rock Pit in the NW1/4NE1/4 of Section 25, T52N, R62W, approximately eight (8) miles east-northeast of Sundance, in Crook County, Wyoming. Maximum production for the crushing/screening train is reported at 1,050,000 tons per year and 500 tons per hour. Croell Redi-Mix holds Permit CT-4526 for the Roger's Rock Pit. A copy of the permit application and the agency's analysis is

available for public inspection at the Crook County Clerk's Office, Sundance, Wyoming. In accordance with the Americans with Disabilities Act, special assistance or alternate formats will be made available upon request for individuals with disabilities.

Comments may be directed to David A. Finley, Administrator, Division of Air Quality, Department of Environmental Quality, 122 W. 25th St., Cheyenne, Wyoming 82002. All comments received by 5:00 p.m., Monday, February 25, 2008 will be considered in the final determination on this application.



Judith Bush
Managing Partner
Bush Ranches
2313 County Rd 64
Carrying Place, Ontario
Canada K0K 1L0
613-392-2313

Feb 1, 2008

Department of Environmental Quality
Air Quality Division
122 West 25th
Cheyenne
Wyoming 82002

Attention: David A. Finley
Department of Air Quality

Re: DEQ / Division of Air Quality Public Notice placed in Sundance Times
applicant: Bruening Rock Products, Inc; PO Box 127, Decorah, IA 52101

Dear Mr. Finley,

I am one of the owners as well as the managing partner of Bush Ranches. The applicant's operation lies immediately adjacent to our property. A neighbor saw the notice in the Sundance Times and telephoned to let me tell us about it. I have requested and received from your office a copy of that notice (faxed to me on January 29/08)

Neither the owners of Bush Ranches nor our ranch manager, Dewey Turbiville, have ever received any official notification regarding this gravel operation. I called Crook County about this and they said to call you. Staff in your office told me that I should be talking to the County (which sounds right to me). Please, give me your opinion regarding where the responsibility lies for the lack of any official notification (and our resulting lack of input to date into the permit approval process for this project).

I understand from our ranch manager that, in addition to noise issues, there are also dust problems.

Would you please fax a copy of the permit application and your agency's analysis to me. The deadline is coming up, and I do not even know what the proposed scope and duration of this operation is. Would you please also include previous notices from the DEQ (your branch or any other) and / or earlier applications relating to this operation.

When you fax to us at the number noted above, it is necessary to phone first, so that we can reset our fax to receive.


Thanking you in advance for your help in this matter,

Yours truly,

Judith A. Bush
Managing Partner, Bush Ranches

MEMORANDUM TO FILE

TO: File AP-7113

FROM: Darla J. Potter, NSR Program Supervisor 

RE: Communications with Judith Bush re: her fax received 2/1/08

DATE: February 4, 2008

On February 1, 2008, the Division received a fax from Judith Bush regarding the Public Notice for Bruening Rock Products, Incorporated's application (AP-7113) that is currently on public notice for Crushing/Screening Equipment to be initially located at the Roger's Pit. I attempted to call Ms. Bush four times between the times of 3:15 – 4:00 pm on February 1, but the telephone line was busy. On February 4, I called Ms. Bush at approximately 9:30 am and left a detailed voice mail expressing a willingness to explain the permitting process as well as provide her with the documents she requested via e-mail.

I spoke to Ms. Bush on February 4 at approximately 12:30 pm. I explained the permitting process and that via that process public notice (versus direct notification of adjacent landowners) is the mechanism for notification of a proposed permitting action. I also explained that the Roger's Pit, where the proposed crushing/screening equipment would be initially located, had already been permitted by CT-4526 issued 2/13/07 to Croell Redi-Mix for the Roger's Rock Pit. I offered to e-mail several documents to Ms. Bush Bruening Rock Products, Inc. application 7113 as well as the permit for the Roger's Rock Pit CT-4526.

I followed up my telephone conversation with Ms. Bush with an e-mail to her (judith.bush@yahoo.ca) on February 4 at approximately 3:30 pm. I attached several documents to the e-mail as indicated below.

Bruening Rock Products, Inc. - Crushing/Screening Equipment - AP-7113
Public Notice 7113pn.pdf
AQD Analysis 7113ana_scan.pdf
Application 7113app.pdf

Croell Redi-Mix - Roger's Rock Pit - Permit CT-4526 issued 2/13/07
CroellRediMix_CT-4526.pdf



By Fax 1-307-777-5616

To David A. Finley, Administrator, Division of Air Quality, DEQ

Re Application by Bruening Rock Products, Inc. for approval of crusher to operate initially on crushing operation known as Rogers Pit (Notice #

From date Judith Bush, Managing Partner, Bush Ranches tel / fax 613-392-2313 February 25, 2008 please phone before sending fax

cc Joe Baron, Crook County Attorney by fax 307-283-1091
cc Crook County Land Use Planning and Zoning Commission by fax 307-283-4549

no pages 12

Dear Mr. Finley,

I am the managing partner of Bush Ranches, a portion of which lies directly adjacent to the limestone crushing operation known as Rogers Pit.

I realize that the DEQ, Div Air Quality notification which appeared in the Sundance Times in January of this year applies only to the approval of gravel crushing equipment, and not to the limestone operation itself, which I understand was approved in February of last year.

Nevertheless, I must point out here that the owners of Bush Ranches never received official notification of the application for this pit in 2007 before it was approved. I am attaching a copy of a letter to Crook County's attorney, Joe Baron, which goes into more detail on this matter, and which may be considered as an integral part of my response to Bruening Rock Products, Inc.'s current application.

Concerns raised in this paragraph do not relate to air quality. They do, however, qualify as environmental concerns. Because I was not notified in time to raise these matters prior to the project being approved, I will bring them to the attention of the DEQ at this time. The operation is noisy. The hours of operation are long. Water is being used to control dust and no mention is made of how much water is being used to accomplish this or where the water is coming from. As I mentioned in my letter to Joe Baron, water table considerations may come into play. If the water to control dust is coming from Sundance Creek, this could impact the flow of a tributary of Sundance Creek which flows through a corner of our property in all but the dryer years.

My comments relating to air quality are as follows:

Our ranch manager, Dewey Turbiville, tells me that our grazing land above the ridge (where our cattle winter) lies downwind from the pit and that the dust can get pretty thick up there. This cannot be a healthy situation for our cattle, and is not something that I would like to see continue in the long run. I believe that one of our hayfields also lies near the pit.

Obviously, I am no expert on gravel crushers. I have no way of gauging from the information that Darla Potter faxed to me earlier this month whether the crushing equipment for which Bruening Rock Products, Inc. is seeking approval would worsen the dust situation, make it better, or leave it essentially as it is now. I do know that there is considerable room for improvement as regards the current situation vis-a-vis the dust that is generated.

If it is possible for Mr. Croell to install scrubbers on his equipment, this would represent a welcome improvement. I have heard that the difference in the amount of dust generated is dramatic. I would welcome the opportunity to discuss this option further.

I am unclear to what extent these matters can be dealt with on an as needed basis in the future, and to what extent allowing them to proceed without objection at this time obligates us to endure this same level of dust in the future. Whatever the answer to this question, I would prefer to try and deal with the problem now, which is why I am sending this letter to you in time to meet the deadline for response to the DEQ notice regarding this matter

Yours truly,

A handwritten signature in black ink, appearing to read 'Judith Bush'.

Judith Bush, Managing Partner, Bush Ranches

PS I understand that Gerald McInerney's crushing operation is dumping large quantities of dust directly on the hayfields of our other ranch. (The southern end of that ranch and its hayfields lie along the Clark Road, across from Mr. McInerney's crushing operation. I believe that scrubbers would help in this situation as well.)

By Fax **1-307-283-1091** (ph 1-307-283-1090)

To: Mr. Joe Baron, Attorney for Crook County

Date Feb 25, 2008

From: Judith Bush, Managing Partner, Bush Ranches
phone and / or fax (613) 392-2313 *please phone to notify before sending fax*

Re: notification from Crook County regarding establishment of
Rogers Pit, located immediately adjacent to Bush Ranches

cc Crook County Land Use Planning and Zoning Commission by fax 307 283-4549
cc David A. Finley, Administrator, DEQ, Div Air Quality 307-777-

no. pages 12

Dear Mr. Baron,

A neighbor phoned to inform me of the notice from the DEQ regarding approval of crushing equipment for Rogers Pit which Crook County placed in the Sundance Times in January of this year. I requested and received information on Rogers Pit from the DEQ Air Quality Division on Feb 7th of this year.

I understand from the DEQ, that notification of the proposed project was placed in the Sundance Times by Crook County prior to the project being approved in February of 2007. (I have never seen the notice, nor was I aware of it at the time.)

None of the owners of Bush Ranches received official notification of this project by registered mail prior to it being approved in February of 2007. There are three registered owners of Bush Ranches. The address of Patricia J. Fuendeling, who is the Trustee of the Fuendeling Family Trust, is current on deed. (That trust owns the lion's share of the main ranch.) My brother's address as well as my own address may not be current on deed, however, my address is current in the Crook County Assessors office, so that anyone using reasonable effort could have notified me by registered mail.

I am wondering what Crook County's regulations are regarding notification of adjacent landholders when projects such as this are approved, and if the regulations were followed in this case.

Our cattle winter on land near the crushing operation, and I understand from Dewey Turbiville that the dust can get pretty thick up there. I have spoken with neighbors whose home lies directly in the path of the dust. They also received no official notification of this project before it was approved. I was told by the DEQ that there were no responses to the notification to approve this project, and that therefore there was no public meeting held.

I understand that it is possible to use scrubbers in a crushing operation, which would cut down considerably on the dust, but I see no provision for these in the information sent from the DEQ. It looks like the use of water to control dust is limited to watering down the road. If this is the case, I am not sure to what extent that will help with our grazing land and hay field above the ridge. I also do not now where the water which will be used to control dust will be coming from, how much will be required, and if this could effect water tables or the branch of Sundance Creek which flows through a corner of our ranch. These are all questions which could have been raised and possibly sorted out at a public meeting if we had been notified of the project prior its approval.

The deadline for responding to the notice placed in the Sundance Times last month regarding the approval of crushing equipment is today. I don't know whether this crushing equipment will result in more or less dust than what we are experiencing at present. I am sending the DEQ a letter today and am attaching a copy of that letter for you to read.

I did receive what I believe was unofficial information regarding an earlier version of this project which was mailed to me at my current address from the Crook County Land Use Planning and Zoning Commission on October 19th, 2006. That application described a project which is considerably smaller in scope than the one which was eventually approved by the DEQ in February of 2007. I am attaching a copy of 2006 information sent to me. I am not sure how clearly some of it will fax, but I'll give it a try anyway. Note that this 2006 application described a project with an output of less than 1/10th the amount of that eventually approved, as well as a shorter yearly operating period.
(see below)

Application as of Oct 2006

application approved in Feb 2007

maximum hourly production:	300 tons / hr	500 tons / hr
average hourly production	250 tons	not specified
hours of operation per day	10 hr / day	no limit specified
days per week of operation	5 days / wk	no limit specified
max weeks of operation per year	20 wks / yr	no limit specified
maximum yearly production	100,000 tons / year	1,050,000 tons / year

calculations re 2006 application

5 days / wk X 10 hrs / day = 50 hrs / wk
 50 hrs / wk X 20 weeks = 1000 hr / yr
 1000 hrs / yr X 250 tons / hr = 250,000 tons / year

(since the total number of tons / year is less than half of the number of tons which could be produced under the other parameters, the total hours of operation / year almost certainly even less than those given calculated above

calculations re current DEQ notice

1,050,000 tons / yr ÷ 500 tons / hour = 2100 hrs / yr
 2100 hrs / yr = 210 days (10 hr / day) per year
 at 5 days per week, this is 42 wks / yr of operation

with lower hourly production, the number of hours of operation per year could go up considerably. There is no limit on how long the operation could operate each day, how many days per week it can operate, or how many weeks out to the year it can operate. Perhaps the application places some limits on the operation which I have not seen.

Could you please fax me a copy of the Crook County regulations regarding notification to adjacent landowners which apply in this case, and let me know if in your opinion these regulations were complied with.

Yours truly,



Judith Bush

**Crook County Land Use Planning & Zoning Commission
P.O. Box 37
Sundance, WY 82729**

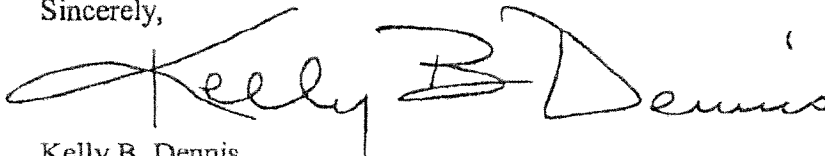
October 18, 2006

Todd H. & Judith A. Bush, et al
2313 County Road 64
RR 2 Carrying Place
Ontario, Canada KOK-1LO

Dear Todd & Judith:

We are sending you this letter to inform you that Croell Redi-Mix, Inc. is proposing a rock quarry on 10 acres of land that is currently owned by Roger Croell and lies adjacent to your property. The legal of the proposed location is the NW ¼ NE ¼ SW ¼ Section 25, T52N R62W Crook County, Wyoming. We have also attached other correspondence that we have had with Croell Redi-Mix, Inc. concerning this proposed rock quarry, and a map of the proposed location.

Sincerely,

A handwritten signature in black ink that reads "Kelly B. Dennis". The signature is written in a cursive style with a large, stylized "K" and "D".

Kelly B. Dennis
Chair

Crook County Land Use Planning & Zoning Commission
P.O. Box 37
Sundance, WY 82729

October 10, 2006

Croell Redi-Mix
P.O. Box 1352
Sundance, WY 82729

Attention: Julie Ewing, Safety Director

Dear Julie:

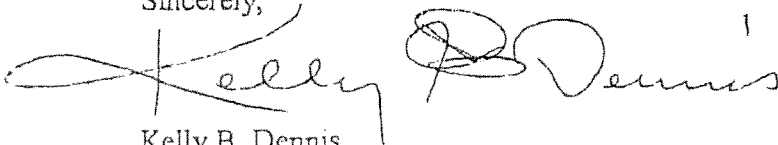
Per your request, we reviewed information on the permit application form for Croell Redi-Mix to establish a rock quarry/limestone crushing operation on 10 acres east of Sundance (Section 25, Township 52N, Range 62W).

The 1998 Land Use Plan for Crook County (as amended 12/4/02 and 2/5/03), recognizes that there are a variety of minerals extracted for commercial use in the County and that "Crook County will strive to promote responsible mining and mineral exploration as an important, historic multiple use" (page 8, 5. ENERGY & MINERAL RESOURCES).

Crook County recognizes that there is potential for wear and tear on roads in the area of the limestone pit. We strongly encourage Croell Redi-Mix to work cooperatively with the County to assist with road maintenance.

Crook County supports mining activities as long as permit conditions are met. Also, operation of this proposed pit, as described in the permit information, will not violate any land use or zoning regulations in Crook County.

Sincerely,



Kelly B. Dennis
Chair

307 467 5768



PO Box 1352
 2719 South Hwy 585
 Sundance, WY 82729
 Croell_Julie@rangeweb.net

Phone 307.283.2221

Fax 307.283.1450

Date: 9/29/06

Send to: Tim Lyons 283-4549

From: Julie Ewing

Total Page: 5

Message

This fax is in response to your recent request for more information on our Sundance Pit. We will be beginning a rock quarry next spring on Roger Croell's land east of Sundance. The legal of this pit is NW ¼ NE ¼ SW ¼ Section 25, T 52N, R 62 W. This is in the Sundance East Quadrangle. The pit will be on approximately 10 acres. Enclosed is also a copy of the DEQ Air Quality Permit I am requesting this information for.

Please feel free to contact me if you have any further questions.

Thanks for your help,

Julie

The information contained in this fax transmission is confidential and should be delivered to the attention of the party (ies) listed above. If you should receive this fax in error, please call (307) 283-2221. Thank you.

STATE OF WYOMING
 Department of Environmental Quality - Air Quality Division
 Crushing/Screening Operations
 Permit Application Form
 (Please submit three (3) copies of the complete application)

Company Name: Croell Ledi Miv Inc.
 Contact: Julie Ewing Title: Health + Safety Director
 Mailing Address: PO Box 1352
 City: Sundance State: WY Zip: 82729
 Phone: 307-293-2221 Fax: 307-293-1450 E-Mail: croell_julie@orange.net

Initial Location
 Legal Description: 1/4: NW1 1/4: NE Section: 25 T: 52 N R: 62 W
 Latitude: _____ Longitude: _____
 County: CROOK

Existing Pit/Quarry: Yes No
 Pit/Quarry Name: _____ Pit/Quarry Owner: _____
 AOD Permit Number: _____

Type of Material Crushed/Screened: Limestone
 Max. Hourly Production: 300 Tons/hr Max. Annual Production: 100,000 Tons per year
 Ave. Hourly Production: 250 Tons/hr
 Hours of Operation: 10 Hours/day 5 Days/week 20 Weeks/year

Equipment/Operation: Crushing Screening
 (mark all that apply) Wet Screening Stock Piling

Is the equipment intended for stationary or portable use: Stationary Portable

All applications must include:
 1. Documentation that the proposed site is located in accordance with proper land use planning as determined by the appropriate state or local agency charged with such responsibility. (Per Chapter 6, Section 2(c)(iv) of the WAQSR.)
 2. A map identifying the location of the site.
 3. A map identifying all haul roads, including county roads and any other unpaved roads, associated with the crushing/screening activities. Please indicate the distance material will be hauled until reaching pavement.
 4. Brief process description with a plot plan depicting site set up with location of controls.

I, Julie Ewing Health + Safety Director
 Responsible Official Title
 state that I have knowledge of the facts herein set forth and that the same are true and correct to the best of my knowledge and belief. The facility will operate in compliance with all Wyoming Air Quality Standards and Regulations.
 Signature: Julie Ewing Date: _____

FORM: AQD-CS1 Excel Format REVISED: December 2004



STATE OF WYOMING
 Department of Environmental Quality - Air Quality Division
 Crushing/Screening Operations
 Crusher/Screen Form



Crusher

Primary: Secondary: Tertiary: Other: _____
 (Use additional Crusher/Screen Forms if using more than 2 crushers)

Manufacturer: Telsmith Model #: 30x40 Serial #: 505m1761256
8716910

Type: Jaw Cone Impact Other Type: _____

Date Manufactured: 1987 Max. Crusher Capacity per Hour: 300 tons

Subject to NSPS - OOO (manufactured after August 1, 1985): Yes No

Crusher

Primary: Secondary: Tertiary: Other: _____
 (Use additional Crusher/Screen Forms if using more than 2 crushers)

Manufacturer: Sandvik Model #: H4B800 Serial #: 441382100

Type: Jaw Cone Impact Other Type: _____

Date Manufactured: 2004 Max. Crusher Capacity per Hour: 300 tons

Subject to NSPS - OOO (manufactured after August 1, 1985): Yes No

Screen

Manufacturer: Cedar Rapids Model #: 6x20 Serial #: 46509

Date Manufactured: 1994 Type: HORIZONTAL

Subject to NSPS - OOO (manufactured after August 1, 1985): Yes No
 (Use additional Crusher/Screen Forms if using more than 2 screens)

Screen

Manufacturer: Cedar Rapids Model #: TSSL6203 Serial #: 52059

Date Manufactured: 2005 Type: HORIZONTAL

Subject to NSPS - OOO (manufactured after August 1, 1985): Yes No
 (Use additional Crusher/Screen Forms if using more than 2 screens)

of Conveyor Belts: 15 Number of Transfer/Drop Points: 15

of Stockpiles: 5 Size of Stock Piles: 10,000 tons

Source Control: Sources will be controlled as follows:

	No Control	Water Spray	Chemical Dust Suppressant	Other (explain)
Feed hopper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> will spray water as needed
Transfer Points	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Inlet to Crushers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outlet of Crushers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Inlet to Screens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outlet of Screens	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Covers
Haul Roads	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> AS needed
Work Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> AS needed
Stockpiles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> AS needed

FORM AQD-CS2

Excel Format

REVISED December 2004

STATE OF WYOMING																											
Department of Environmental Quality - Air Quality Division																											
Crushing/Screening Operations																											
Generator Form																											
<p>Generator #1 Information: (Use additional Generator Forms if using more than 2 Generators)</p> <p>Manufacturer: <u>Detroit</u> Model #: <u>573LSSL7032</u> Serial #: <u>214017501</u> <u>BP-220W</u></p> <p>Site Horsepower Rating: <u>400 h.p.</u></p>																											
<p>Fuel Type:</p> <p><input type="checkbox"/> Natural Gas <input type="checkbox"/> LP Gas <input checked="" type="checkbox"/> Diesel <input type="checkbox"/> Gasoline</p> <p>Fuel Consumption (specify units): <u>100 gal/day</u> Fuel Sulfur Content (specify units): <u>15 ppm</u></p>																											
<p>Emissions Data:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>g/hp-hr</u></th> <th style="text-align: center;"><u>lb/hr</u></th> <th style="text-align: center;"><u>TPY</u></th> </tr> </thead> <tbody> <tr><td>NO_x</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>CO</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>VOC</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>PM₁₀</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>SO_x</td><td>_____</td><td>_____</td><td>_____</td></tr> </tbody> </table>				<u>g/hp-hr</u>	<u>lb/hr</u>	<u>TPY</u>	NO _x	_____	_____	_____	CO	_____	_____	_____	VOC	_____	_____	_____	PM ₁₀	_____	_____	_____	SO _x	_____	_____	_____	<p>Emissions Control:</p> <p><input type="checkbox"/> Lean Burn <input type="checkbox"/> Other</p> <p><input type="checkbox"/> AFRC Describe: _____</p> <p><input type="checkbox"/> NSCR</p> <p><input type="checkbox"/> SCR</p> <p><input checked="" type="checkbox"/> Tier I Certified</p> <p><input type="checkbox"/> Tier II Certified</p> <p><input type="checkbox"/> Tier III Certified</p>
	<u>g/hp-hr</u>	<u>lb/hr</u>	<u>TPY</u>																								
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VOC	_____	_____	_____																								
PM ₁₀	_____	_____	_____																								
SO _x	_____	_____	_____																								
<p>Generator #2 Information: (Use additional Generator Forms if using more than 2 Generators) <u>N/A</u></p> <p>Manufacturer: _____ Model #: _____ Serial #: _____</p> <p>Site Horsepower Rating: _____</p>																											
<p>Fuel Type: <u>N/A</u></p> <p><input type="checkbox"/> Natural Gas <input type="checkbox"/> LP Gas <input type="checkbox"/> Diesel <input type="checkbox"/> Gasoline</p> <p>Fuel Consumption (specify units): _____ Fuel Sulfur Content (specify units): _____</p>																											
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	<u>g/hp-hr</u>	<u>lb/hr</u>	<u>TPY</u>																								
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PM ₁₀	_____	_____	_____																								
SO _x	_____	_____	_____																								
<p>Additional Information:</p> <p>Please use the following hierarchy for determining emissions from generators</p> <ol style="list-style-type: none"> 1. g/hp-hr emission rates based on manufacturer's information. Provide a copy of the manufacturer's information with the application. 2. g/hp-hr emission rates based on actual test data. Provide a copy of the test report with the application. 3. Emission factors. Documentation from the manufacturer must be provided with the application stating no emission factors are available for the generator before the Division will accept other emission factors such as AP-42. 																											
FORM: AQD-CS3		Excel Format	REVISED: December 2004																								



STATE OF WYOMING
Department of Environmental Quality - Air Quality Division
Crushing/Screening Operations
Emission Summary Form



Fill out this portion of the form for every emission source (existing & proposed)

Source	PM ₁₀	NO _x	CO	VOC	SO ₂
	TPY	TPY	TPY	TPY	TPY
Total					
FORM: AQD-CS4	Excel Format		REVISED: December 2004		



PO Box 1352
2719 South Hwy 585
Sundance, WY 82729

Phone 307.283.2221

Fax 307.283.1450

September 27, 2006

Ralph Goodson, Chairman
Crook County Land Use Planning and Zoning Commission
PO Box 37
Sundance, WY 82729

Dear Ralph,

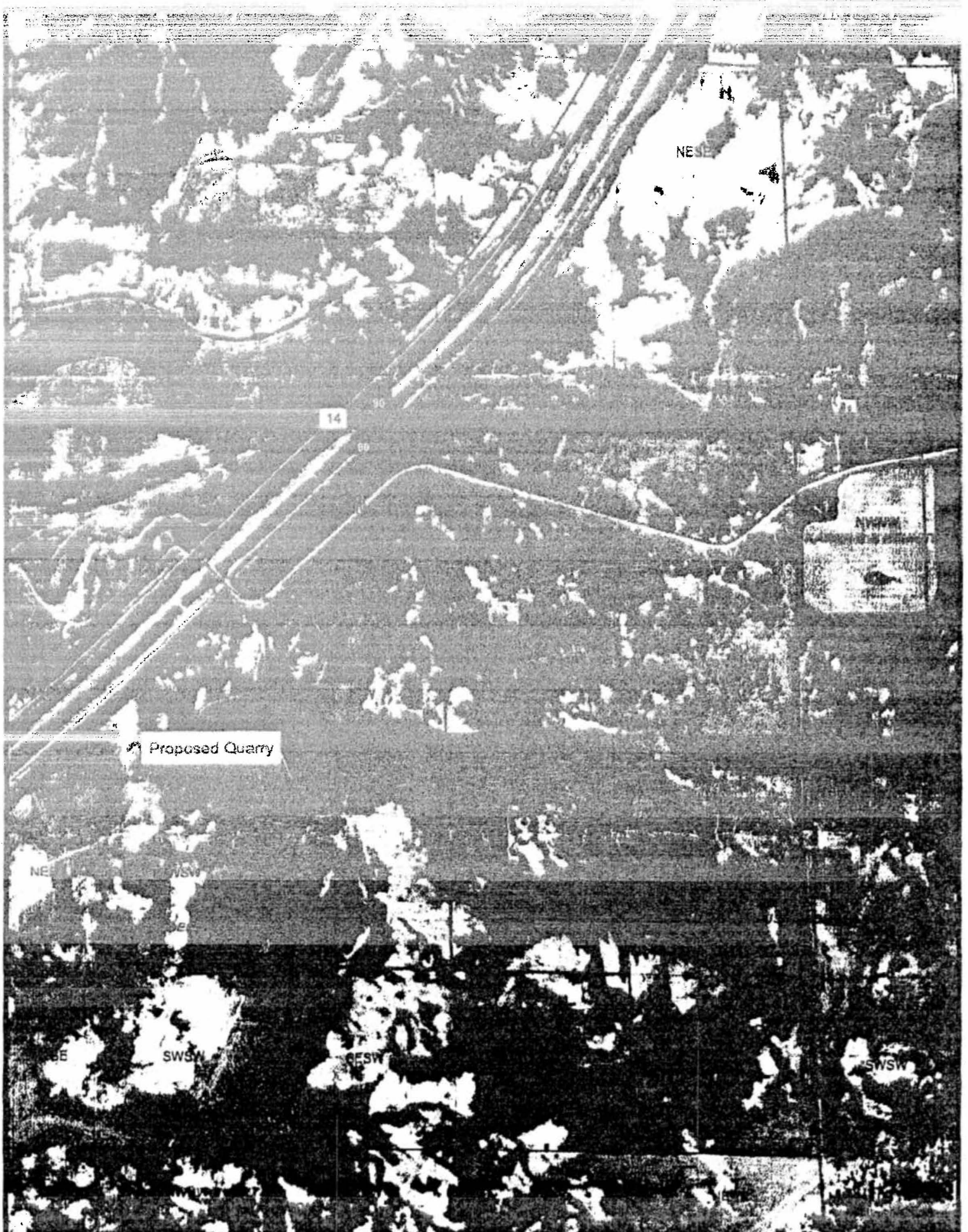
Croell Redi-Mix, Inc. would like to request a response from the CCLUP&Z Commission regarding the suitability and compliance with the proper land use planning requirements for Roger Croell's land in Section 25 Township 52N, Range 62W, Crook County. We would like to begin a crushing operation at this location. This letter is required as part of the permit application process for Crushing/Screening operations through the Wyoming Department of Environmental Quality.

We would appreciate your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Ewing", with a large, stylized flourish extending to the right.

Julie Ewing, Safety Director
Croell Redi-Mix, Inc.



Proposed Quarry

NE

SWW

NE

SWW

SWW

SWW



Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

e Freudenthal, Governor

John Corra, Director

December 21, 2007

Mr. Michael Toot
Project Manager
Bruening Rock Products, Inc.
PO Box 127
Decorah, IA 52101

Permit Application Receipt Notice
Application No. AP-7113

Dear Mr. Toot:

This is to confirm the receipt of your permit application for the Rogers Pit located in Crook County, Wyoming. The application was received on December 19, 2007. Please refer to Application Number, AP-7113, in any future correspondence regarding this application.

For your information, a permit to construct or modify must be issued prior to any work beginning on the facility. The Division defines earthwork, pouring of foundations, etc. to be work on the facility and therefore a violation of Chapter 6, Section 2(a)(1) requirements, when conducted without a permit.

The application will be reviewed within thirty (30) days of receipt, and you will be notified as to whether or not the application is complete. If the application is complete, a decision will be made to either approve or disapprove your request within sixty (60) days of the determination that the application is complete. Once the decision to approve your request is made, a thirty (30) day public comment period is required, after such time a permit will be issued. If the decision is made to disapprove your request, you will be so notified and provided with the reason(s) for denial.

Per Chapter 6, Section 2(o), fees will be assessed on an hourly basis for the time incurred in processing the application.

If you should have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Darla J. Potter
NSR Program Supervisor
Air Quality Division



cc: Mike Warren
Rita Piroutek

40 B





7
Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Freudenthal, Governor

John Corra, Director

January 2, 2008

Mr. Michael Root
Project Manager
Bruening Rock Products, Inc.
P.O. Box 127
Decorah, IA 52101

Re: Permit Application No. AP-7113

Dear Mr. Root:

The Division has reviewed Bruening Rock Products, Inc.'s application to install portable crushing/screening equipment with an initial location at the Roger's Rock Pit in the NW1/4 NE1/4 of Section 25, T52N, R62W, approximately eight (8) miles east-northeast of Sundance, in Crook County, Wyoming.

The Division finds the application to be complete, and will proceed with a technical review of the application. It should be noted that this does not preclude the Air Quality Division from requesting additional technical information or clarification at a later date, as deemed necessary. A decision will be made to either approve or disapprove your request within sixty (60) days of the determination that the application is complete.

If you have any questions, you may contact me at (307) 777-3786.

Sincerely,

Rita Piroutek
Air Quality Engineer
Air Quality Division

cc: Mike Warren
File: AP-7113



400





Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

February 28, 2008

Mr. Michael Root
Project Manager
Bruening Rock Products, Incorporated
PO Box 127
Decorah, IA 52101

Permit No. CT-7113

Dear Mr. Root:

Enclosed please find Air Quality Permit CT-7113 to install portable crushing/screening equipment with an initial location at the Roger's Rock Pit in the NW1/4NE1/4 of Section 25, T52N, R62W, approximately eight (8) miles east-northeast of Sundance, in Crook County, Wyoming.

Comments received during the public comment period were considered in the final permit. A response to each comment is provided below. No conditions have been changed as result of the comments.

1. Official notification of adjacent landowners.

Response – The requirements of Wyoming Air Quality Standards and Regulations (WAQS&R) Chapter 6, Section 2(m) state that a copy of the public notice is to be advertised in a newspaper of general circulation in the area of the proposed source. The Division's practice throughout the years of implementation of the permitting requirements under Chapter 6, Section 2 has been to also place the application and the Division's analysis in the office of the County Clerk. The Division has not notified any adjacent landowners other than the above described process.

2. Other non-air quality issues such as noise and water usage/source.

Response – The Division does not have the authority to deny or condition an air quality permit based upon other impacts which may be caused by a facility such as noise or water usage/source.

Noise - The State of Wyoming has no rules or regulations addressing noise.

Water - The conditions of the permit require water to be used to control fugitive emissions, but the Division does not require applicants to identify the amount of water to be used or the source of the water.

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7761 FAX 777-5973
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Page 41



3. Hours of operation.

Response – The permit applicant has represented the hours of operation for the portable crushing/screening equipment as 12 hours/day, 5 days/week and 35 weeks/year. The Division is satisfied that the control requirements established through the Best Available Control Technology (BACT) process will insure the portable crushing/screening equipment complies with all applicable requirements of the Wyoming Air Quality Standards and Regulations. Therefore, the Division does not limit hours of operation.

4. Controlling dust emissions from portable crushing/screening equipment.

Response – The permit requires the use of Best Available Control Technology (BACT) to minimize emissions to the extent practicable during crushing/screening operations. Conditions of the permit addressing dust control are as follows:

4. That the allowable opacity for fugitive emissions associated with the crushing/screening equipment shall be limited to 15%, the allowable opacity for screen, conveyor transfer points and other fugitive emission points shall be limited to 10% as determined by 40 CFR, Part 60, Appendix A, Method 9.
5. That the crushing/screening equipment shall be equipped with a wet suppression system to control fugitive emissions from the crushing/screening equipment. The wet suppression system shall operated to the extent necessary comply with the allowable opacity limits established in condition 4.
6. That all unpaved portions of the haul roads, access roads, work areas and stockpiles associated with this crushing equipment shall be treated with water and/or chemical dust suppressants on a schedule sufficient to control fugitive dust from vehicular traffic and wind erosion.

Based on experience, the Division is confident that properly controlled crushing/screening operations, as required through conditions of the permit, will not result in an exceedance of air quality standards. However, compliance with the ambient air quality standards does not mean there will be no air quality impact.

5. Installing scrubbers on portable crushing/screening equipment.

Response – The Division's experience is that installing scrubbers on crushing/screening equipment that is portable is not technically feasible and is therefore not considered Best Available Control Technology (BACT), which is required by the Division.

6. Controlling dust emissions from Roger's Rock Pit operations.

Response – The purpose of Bruening Rock Product, Incorporated's application is solely in regard to the portable crushing/screening equipment and does not address any changes to Permit CT-4526 for the Roger's Rock Pit, issued February 13, 2007 and held by Croell Redi-Mix. As such, the Division does not have the authority to deny or condition an air quality permit based upon air quality impacts which may be caused by another facility.

7. Monitoring of operations.

Response – Division personnel conduct periodic inspections (announced and unannounced) to insure compliance with permit conditions. Questions regarding compliance with the permit conditions should be directed to Tanner Shatto, District Engineer, Sheridan (307) 673-9337 or Bob Gill, Stationary Source Compliance Program Manager, Cheyenne (307) 777-7391.

If we may be of further assistance to you, please feel free to contact this office.

Sincerely,



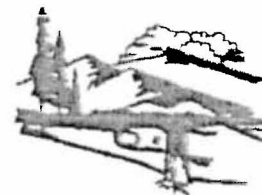
David A. Finley
Administrator
Air Quality Division

cc: Tanner Shatto

Judith Bush
Managing Partner – Bush Ranches
2313 County Rd 64
Carrying Place, Ontario
Canada KOK 1 LO



Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

February 28, 2008

Mr. Michael Root
Project Manager
Bruening Rock Products, Incorporated
PO Box 127
Decorah, IA 52101

Permit No. CT-7113

Dear Mr. Root:

The Division of Air Quality of the Wyoming Department of Environmental Quality has completed final review of Bruening Rock Products, Incorporated's application to install portable crushing/screening equipment with an initial location at the Roger's Rock Pit in the NW1/4NE1/4 of Section 25, T52N, R62W, approximately eight (8) miles east-northeast of Sundance, in Crook County, Wyoming. The portable crushing/screening equipment will consist of the following:

- 2007 Lippmann 3048 jaw crusher, SN: 200708145 (primary crusher)
- 2006 Cedar Rapids MVP 450 cone crusher, SN: 53432 (secondary crusher)
- 2006 Cedar Rapids TSH 7203-38 vibrating flat screen, SN: 053668
- 890 hp Caterpillar 3412 diesel generator, SN: 81Z05843
- 328 hp Volvo TAB952VE diesel generator, SN: D9BA7009L2272
- Eight (8) conveyor belts

Following this agency's proposed approval of the request as published January 24, 2008 and in accordance with Chapter 6, Section 2(m) of the Wyoming Air Quality Standards and Regulations, the public was afforded a 30-day period in which to submit comments concerning the proposed new source, and an opportunity for a public hearing. Comments from the public have been received. Therefore, on the basis of the information provided to us, approval to construct the portable crushing/screening equipment as described in the application is hereby granted pursuant to Chapter 6, Section 2 of the regulations with the following conditions:

1. That authorized representatives of the Division of Air Quality be given permission to enter and inspect any property, premise or place on or at which an air pollution source is located or is being constructed or installed for the purpose of investigating actual or potential sources of air pollution and for determining compliance or non-compliance with any rules, standards, permits or orders.
2. That all substantive commitments and descriptions set forth in the application for this permit, unless superseded by a specific condition of this permit, are incorporated herein by this reference and are enforceable as conditions of this permit.
3. All notifications, reports and correspondence associated with this permit shall be submitted to the Stationary Source Compliance Program Manager, Air Quality Division, 122 West 25th Street, Cheyenne, WY 82002.

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	Page 44 QUALITY (307) 777-7781 FAX 777-5973
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4. That the allowable opacity for fugitive emissions associated with the crushing/screening equipment shall be limited to 15%, the allowable opacity for screen, conveyor transfer points and other fugitive emission points shall be limited to 10% as determined by 40 CFR, Part 60, Appendix A, Method 9.
5. That the crushing/screening equipment shall be equipped with a wet suppression system to control fugitive emissions from the crushing/screening equipment. The wet suppression system shall operated to the extent necessary comply with the allowable opacity limits established in condition 4.
6. That all unpaved portions of the haul roads, access roads, work areas and stockpiles associated with this crushing equipment shall be treated with water and/or chemical dust suppressants on a schedule sufficient to control fugitive dust from vehicular traffic and wind erosion.
7. That Bruening Rock Products, Incorporated shall comply with all applicable requirements of 40 CFR Part 60, Subpart OOO.
8. That the Volvo TAB952VE diesel generator shall be certified to meet EPA Tier 3 emission levels.
9. In accordance with Chapter 6, Section 2(b)(ii) of the WAQSR, Bruening Rock Products, Incorporated shall submit a "self-issuance" relocate permit for each new location. Such permit shall be executed and copies provided to the Air Quality Division prior to operation at the new location. A fee will be assessed upon issuance of the relocation permit.
10. Bruening Rock Products, Incorporated shall keep a copy of the permit, the relocation permit, and the Tier 3 certification for the Volvo TAB952VE diesel generator with the portable crushing/screening equipment at all times.

It must be noted that this approval does not relieve you of your obligation to comply with all applicable county, state, and federal standards, regulations or ordinances. Special attention must be given to Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations. Any appeal of this permit as a final action of the Department must be made to the Environmental Quality Council within sixty (60) days of permit issuance per Section 16, Chapter I, General Rules of Practice and Procedure, Department of Environmental Quality.

If we may be of further assistance to you, please feel free to contact this office.

Sincerely,


David A. Finley
Administrator
Air Quality Division


John V. Corra
Director
Dept. of Environmental Quality

cc: District 3 Air Quality/Engineer

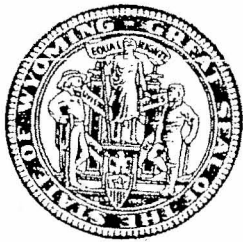
Engine	hp	Controls	NO _x	CO	VOC	TSP	SO _x
Caterpillar 3412 diesel generator	890	-	7.2	1.9	0.1	0.2	0.6
Volvo TAB952VE diesel generator	328	Tier 3	3.0	2.6	1.0	0.15	0.9 ¹

¹ There are no emission factors for SO_x under the EPA Tier 1-3 Nonroad Diesel Engine Emission Standards, the emission factor was determined from AP-42 Table 3.3-1 – *Emission Factors For Uncontrolled Gasoline And Diesel Industrial Engines*

Source	TSP	PM ₁₀	NO _x	CO	VOC	SO _x
2007 Lippmann 3048 jaw crusher	1.4	0.6	-	-	-	-
2006 Cedar Rapids MVP 450 cone crusher	1.4	0.6	-	-	-	-
2006 Cedar Rapids TSH 7203-38 screen	6.6	2.3	-	-	-	-
Nine (9) conveyor transfer/drop points	7.1	2.6	-	-	-	-
Caterpillar 3412 diesel generator ²	0.4	-	14.7	3.9	0.2	1.3
Volvo TAB952VE diesel generator ²	0.1	-	2.3	2.0	0.8	0.7
Total Emissions	17.0	6.1	17.0	5.9	1.0	2.0

¹ Emissions estimated to nearest 0.1 ton

² Based on 2,100 hours of operation per year



Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

February 28, 2008

Ms. Judith Bush
Managing Partner – Bush Ranches
2313 County Rd 64
Carrying Place, Ontario
Canada KOK 1 LO

Permit No. CT-7113

Dear Ms. Bush:

Enclosed please find a copy of the Air Quality Permit CT-7113 to install portable crushing/screening equipment with an initial location at the Roger's Rock Pit in the NW1/4NE1/4 of Section 25, T52N, R62W, approximately eight (8) miles east-northeast of Sundance, in Crook County, Wyoming.

Your comments received during the public comment period were considered in the final permit. A response to each comment is provided below. No conditions have been changed as result of the comments.

1. Official notification of adjacent landowners.

Response – The requirements of Wyoming Air Quality Standards and Regulations (WAQS&R) Chapter 6, Section 2(m) state that a copy of the public notice is to be advertised in a newspaper of general circulation in the area of the proposed source. The Division's practice throughout the years of implementation of the permitting requirements under Chapter 6, Section 2 has been to also place the application and the Division's analysis in the office of the County Clerk. The Division has not notified any adjacent landowners other than the above described process.

2. Other non-air quality issues such as noise and water usage/source.

Response – The Division does not have the authority to deny or condition an air quality permit based upon other impacts which may be caused by a facility such as noise or water usage/source.

Noise - The State of Wyoming has no rules or regulations addressing noise.

Water - The conditions of the permit require water to be used to control fugitive emissions, but the Division does not require applicants to identify the amount of water to be used or the source of the water.

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ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	Page 47 QUALITY (307) 777-7781 FAX 777-5973
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3. Hours of operation.

Response – The permit applicant has represented the hours of operation for the portable crushing/screening equipment as 12 hours/day, 5 days/week and 35 weeks/year. The Division is satisfied that the control requirements established through the Best Available Control Technology (BACT) process will insure the portable crushing/screening equipment complies with all applicable requirements of the Wyoming Air Quality Standards and Regulations. Therefore, the Division does not limit hours of operation.

4. Controlling dust emissions from portable crushing/screening equipment.

Response – The permit requires the use of Best Available Control Technology (BACT) to minimize emissions to the extent practicable during crushing/screening operations. Conditions of the permit addressing dust control are as follows:

4. That the allowable opacity for fugitive emissions associated with the crushing/screening equipment shall be limited to 15%, the allowable opacity for screen, conveyor transfer points and other fugitive emission points shall be limited to 10% as determined by 40 CFR, Part 60, Appendix A, Method 9.
5. That the crushing/screening equipment shall be equipped with a wet suppression system to control fugitive emissions from the crushing/screening equipment. The wet suppression system shall operated to the extent necessary comply with the allowable opacity limits established in condition 4.
6. That all unpaved portions of the haul roads, access roads, work areas and stockpiles associated with this crushing equipment shall be treated with water and/or chemical dust suppressants on a schedule sufficient to control fugitive dust from vehicular traffic and wind erosion.

Based on experience, the Division is confident that properly controlled crushing/screening operations, as required through conditions of the permit, will not result in an exceedance of air quality standards. However, compliance with the ambient air quality standards does not mean there will be no air quality impact.

5. Installing scrubbers on portable crushing/screening equipment.

Response – The Division's experience is that installing scrubbers on crushing/screening equipment that is portable is not technically feasible and is therefore not considered Best Available Control Technology (BACT), which is required by the Division.

6. Controlling dust emissions from Roger's Rock Pit operations.


Response – The purpose of Bruening Rock Product, Incorporated's application is solely in regard to the portable crushing/screening equipment and does not address any changes to Permit CT-4526 for the Roger's Rock Pit, issued February 13, 2007 and held by Croell Redi-Mix. As such, the Division does not have the authority to deny or condition an air quality permit based upon air quality impacts which may be caused by another facility.

7. Monitoring of operations.

Response – Division personnel conduct periodic inspections (announced and unannounced) to insure compliance with permit conditions. Questions regarding compliance with the permit conditions should be directed to Tanner Shatto, District Engineer, Sheridan (307) 673-9337 or Bob Gill, Stationary Source Compliance Program Manager, Cheyenne (307) 777-7391.

If we may be of further assistance to you, please feel free to contact this office.

Sincerely,



David A. Finley
Administrator
Air Quality Division

cc: Tanner Shatto



Wyoming Department of Environmental Quality
Air Quality Division
Memorandum

TO: Dave Finley, Administrator
Bob Gill, SSC Program Manager
Chad Schlichtemeier, NSR Program Manager
FROM: Tanner B. Shatto, District Engineer
DATE: July 2, 2009
RE: Croell Redi-Mix – Roger's Rock Pit Complaint Investigation

June 25, 2009

On this date, I accompanied Land Quality (LQD) Inspectors Mark Rogaczewski and Kris Thompson, to Croell Redi-Mix's (Croell) Roger's Rock Pit to conduct a dust complaint investigation. The complaint was received by LQD on June 19, 2009 with several land quality related issues and concerns.

Upon arriving at the mine, it was noted that the roads had been watered, the crusher/screening operations were running and haul trucks were coming and going from the site. At the scale house, we met with Julie Ewing, Health and Safety Director for Croell Ready-Mix, and Sean Frost, President of Frost Rock Products Company. Mr. Frost informed us that operations would be shut down for a blast. We were able to do a partial tour of the site before having to return to the scale house until after the blast. Once the blast was over we returned to the inspection.

In discussions with Mr. Frost, Ms. Ewing, and LQD it was discovered that the mine, permitted under Air Quality Permit CT-4526, had expanded beyond the 10 acres allowed by the permit. LQD had already issued a Notice of Violation (NOV) for this expansion beyond the 10 acres maximum allowed under a limited mining operation. In order to keep the mine operating, Croell contracted out Frost Rock Products to continue operations in a newly designated 10 acre ET immediately south of Rogers Rock Pit. Frost Rock Products, operating under portable equipment Air Quality Permit CT-4089, brought in its own crushing and screening equipment. I informed both Ms. Ewing and Mr. Frost that the new 10 acre mine needed to be permitted by Air Quality, whether it under an expanded Roger's Rock Pit or a new separate 10 acre pit under Frost Rock Products. Ms. Ewing said that Croell plans to mine the whole area in the future and would like to just permit the Roger's Rock Pit for more acreage. I told her to get an application to NSR as soon as possible. Mr. Frost stated that he had assumed that as long as the pit was in the same township, range, and quarter/quarter expressed in

Permit CT-4526, the mine had a valid air quality permit. I informed him that this was not the case and that every mine needs its own permit. It should also be noted that the adjacent land owner has expressed her intentions of taking legal action to stop Croell from entering the mine through her property. It was unclear whether a legal easement into the property had ever been recorded.

Fugitive emissions from the haul roads and the crusher/screen were not over permit limits. Photographs taken during the inspection are attached.

**WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
Permit Application Review Fees**

Pay Key: 0

Final Invoice

Vendor #

Applicant: Croell Redi-Mix, Rogers Rock Pit

Invoice Number: AP- 5468-2

CT-4526

Final Billing Date: 3/20/2007

Initial Fee:		
Staff Review of Application:		
0	hrs @ \$24.00 per hour (Prior To July 1, 2002)	\$0.00
0	hrs @ \$30.00 per hour (July 1, 2002 through June 30, 2006)	\$0.00
6	hrs @ \$44.00 per hour (Post June 30, 2006)	\$264.00
Total Initial Fee		\$264.00
Amount of Initial Bill Received:	Date Payment Received 2/22/2007	\$264.00
Final Fee:		
Review Comments, Preparing / Issuing Permit, and Hearing		
0	hrs @ 30.00 per hour	\$0.00
13	hrs @ 44.00 per hour Date Payment Received _____	\$572.00
Total Final Fee		\$572.00
PN End Date	<u>2/13/2007</u>	
Total Permit Fee		\$836.00
Total Amount Received (-)		\$264.00
TOTAL AMOUNT DUE		\$572.00

Payment of fee is due on receipt of this bill.

Payment of initial fee is required before the issuance of any permit.

Please reference application file number on your check to ensure proper handling.

Make Check Payable to: Wyoming Air Quality Division
122 West 25th Street (Herschler Bldg 2E)
Cheyenne, WY 82002

CROELL REDI-MIX, INC., SUNDANCE, WY 82729

INV. DATE	INVOICE NO.	DESCRIPTION	GROSS AMT	DISC AMT	PAYMENT
3/20/2007	AP-5468-2		572.00	0.00	572.00

01737

CHECK MEMO:
 PAID 04/10/07 WYOMING AIR QUALITY DIVISION 572.00 0.00 572.00



CROELL REDI-MIX, INC.
 P.O. BOX 1352
 SUNDANCE, WY 82729

SUNDANCE STATE BANK
 SUNDANCE, WYOMING 82729
 99-97/1023

017371

DATE 4/10/2007 AMOUNT *****572.00

PAY Five hundred seventy-two and 00/100 dollars
 TO THE ORDER OF

WYOMING AIR QUALITY DIVISION
 122 WEST 25TH STREET
 CHEYENNE WY 82002

Roger Cruell
 AUTHORIZED SIGNATURE

⑈017371⑈ ⑆102300970⑆ 89⑈443⑈