



ADMINISTRATIVE RULES OF MONTANA



17.8.744 MONTANA AIR QUALITY PERMITS--GENERAL EXCLUSIONS

- (1) A Montana air quality permit is not required under ARM 17.8.743 for the following:
 - (a) residential fireplaces, barbecues, and similar devices for recreational, cooking, or heating use;
 - (b) mobile emitting units, including motor vehicles, trains, aircraft, and other such self-propelled vehicles;
 - (c) laboratory equipment used for chemical or physical analysis;
 - (d) any agricultural activity or equipment that is associated with the use of agricultural land or the planting, production, processing, harvesting, or storage of agricultural crops by an agricultural producer and that is not subject to the requirements of 42 USC 7475, 7503, or 7661, as set forth in 75-2-112(2), MCA;
 - (e) a business relating to the activities or equipment referred to in (1)(d) that remains in a single location for less than 12 months and is not subject to the requirements of 42 USC 7475, 7503, or 7661, as set forth in 75-2-112(2), MCA;
 - (f) emergency equipment installed in hospitals or other public institutions or buildings for use when the usual sources of heat, power, or lighting are temporarily unobtainable or unavailable;
 - (g) emergency equipment installed in industrial or commercial facilities for use when the usual sources of heat, power, or lighting are temporarily unobtainable or unavailable and when the loss of heat, power, or lighting causes, or is likely to cause, an adverse effect on public health or facility safety. Emergency equipment use extends only to those uses that alleviate such adverse effects on public health or facility safety;
 - (h) any activity or equipment associated with the construction, maintenance, or use of roads except emitting units for which a permit is required under ARM 17.8.743;
 - (i) open burning, which is regulated under ARM Title 17, chapter 8, subchapter 6, and an open burning permit may be required under that subchapter;
 - (j) drilling rig stationary engines and turbines that do not have the potential to emit more than 100 tons per year of any pollutant regulated under this chapter and that do not operate in any single location for more than 12 months;
 - (k) temporary process or emission control equipment, replacing malfunctioning process or emission control equipment, and meeting the requirements of ARM 17.8.110(7) through (9);

- (l) routine maintenance, repair, or replacement of equipment and equipment used to perform routine maintenance, repair, or replacement; or
- (m) any facility that has been registered with the department in accordance with ARM Title 17, chapter 8, subchapter 17 or 18.

Authorizing statute(s): 75-2-112, 75-2-204, 75-2-234, MCA

Implementing statute(s): 75-2-211, 75-2-234, MCA

History: NEW, 2002 MAR p. 3567, Eff. 12/27/02; AMD, 2006 MAR p. 893, Eff. 4/7/06; AMD, 2009 MAR p. 142, Eff. 2/13/09; AMD, 2019 MAR p. 425, Eff. 4/27/19; AMD, 2024 MAR p. 2056, Eff. 8/24/24.