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ORDINANCE # 318

AN ORDINANCE AMENDING CHAPTER 7 OF TITLE 11 OF THE CITY CODE OF POLSON, 1965, BY RE-DEFINING PERMITTED USES IN SUB-SECTION 2, BY AUTHORIZING THE BURNING OF SPECIFIED WOOD WASTE MATERIALS UNDER SUB-SECTION 3, BY RE-DEFINING THE PROHIBITED USES UNDER SUB SECTION 4, BY THE ADDITION OF A SUB-SECTION 5, SPECIFYING EMISSION STANDARDS AND REGULATIONS RELATIVE THERETO AS THE SAME PERTAIN TO THE OPERATION OF TEEPEE TYPE WOOD WASTE BURNERS IN THE SAID INDUSTRIAL ZONE OF THE CITY OF POLSON, AND BY THE ADDITION OF A SUB-SECTION 6 REQUIRING ALL PERSONS, FIRMS, AND CORPORATIONS TO COMPLY WITH STATE AND FEDERAL AIR AND WATER QUALITY STANDARDS; AND REPEALING ALL INCONSISTENT ORDINANCES SUBJECT TO THE FINAL PASSAGE OF THIS ORDINANCE FOLLOWING THE STATUTORY THIRTY (30) DAY PERIOD.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

Sub-Chapter 1 of Chapter 7 of Title 11 of the City Code of Polson, 1965, shall be amended to read as follows:

HEIGHT, AREA, AND YARD REQUIREMENTS: There shall be no restriction on the height of buildings, nor as to the portions of the lot that may or may not be occupied by them.

Sub-Chapter 2 of Chapter 7 of Title 11 of the City Code of Polson, 1965, shall be amended to read as follows:

USE REGULATIONS: Buildings and premises may be used for any purpose specified in this Section and in Chapters 4, 5 and 6 of Title 11 of this Code, except that mobile homes may not be used for residential dwellings therein, and provided further that it shall be unlawful for mobile home courts to be established therein.

The following industrial operations as hereinafter defined shall be permitted within the area designated as the "Industrial Zone" of the City of Polson, Montana:

1. The construction, maintenance and operation of wood product manufacturing plants.
2. The unloading of boards and debarked logs from railroad cars, trucks or other carriers.

1 3. The loading of manufactured wood products on railroad
2 cars, trucks or other carriers.

3 4. The storage of debarked logs, boards and finished plywood,
4 lumber and wood products, including the movement thereof.

5 5. The processing of debarked logs and boards into plywood
6 and other wood products.

7 6. The construction, maintenance and operation of machinery
8 and physical plant for such manufacturing purposes.

9 7. The construction, maintenance and operation of the following
10 waste and by-product disposal facilities and processing equip-
11 ment: storage bins, conveyors, chippers, saws, and teepee
12 type wood waste burners for which an operating permit has
13 been issued by the Division of Air Pollution Control and
14 Industrial Hygiene of the State of Montana Department of
15 Health.

16 Sub-Chapter 3 of Chapter 7 of Title 11 of the City Code of Polson,
17 1965, shall be amended to read as follows:

18 It shall be illegal for any person, firm, or corporation to:
19 use, maintain or operate, or permit to be used, maintained
20 or operated, any teepee burners or other burners for the
21 purpose of disposing of wood or other industrial wastes
22 within the City Limits of the City of Polson, Montana,
23 unless said person, firm or corporation shall have first
24 obtained a permit for the operation of any such burner
25 from the Division of Air Pollution Control and Industrial
26 Hygiene of the State of Montana Department of Health; or
27 to operate any such burner in violation of the emission
28 standards set forth in Sub-Chapter 5 of this ordinance;
29 and provided further that it shall be illegal for any person,
30 firm or corporation to burn, or permit to be burned in said
31 burners any bark, slabs, cores, or other similar wood waste
32 materials. Each day that any person, firm or corporation
shall operate any such burner in violation of this ordinance, shall
constitute a separate offense and shall be punished accordingly.

Sub-Chapter 4 of Chapter 7 of Title 11 of the City Code of Polson,
1965, shall be amended to read as follows:

It shall be illegal for any person, firm or corporation
to use, or permit to be used, any real property within
the "Industrial Zone" of the City of Polson, Montana,
for the following prohibited purposes, and provided
further that each day that any person, firm or corp-
oration shall violate the provisions of this ordinance
shall constitute a separate offense and shall be punished
accordingly:

1. Operation of wood pulp or paper processing plant.
2. Operation of saw mill or other mill that has for its
purpose the sawing or other manufacture of logs that have
not been debarked prior to their transportation into said
Industrial Zone.
3. Operation of acid manufacturing plant.
4. Operation of plant for distillation of bones, coal, wood
or petroleum.

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- 5. Operation of explosive Manufacture or Storage business.
- 6. Operation of Fat Rendering plant.
- 7. Operation of Fertilizer Manufacturing plant.
- 8. Operation of Garbage, Offal, or Dead Animal Reduction Plant.
- 9. Operation of Glue Manufacturing Plant.
- 10. Operation of Petroleum Refining Plant.
- 11. Operation of Tin,, Copper, Zinc, or Iron Ore smelting or reduction plant.
- 12. Operation of stock yards or slaughter house.

Chapter 7 of Title 11 of the City Code of Polson, 1965, shall be further amended by the addition of Sub-Chapter 5 which shall be as follows:

11-7-5:EMISSION STANDARDS AND REGULATIONS:
 No teepee or other wood waste burner shall be operated within the City Limits of the City of Polson, Montana, unless the operation of the same shall have been authorized by written permit issued by the Director of the Division of Air Pollution Control and Industrial Hygiene of the State of Montana, Department of Health, and provided further, that it shall be illegal to operate any such burner in violation of the regulations hereinafter set forth. Each day that any person, firm or corporation shall violate any provision of this Ordinance shall be treated as a separate offense and punished accordingly.

A. CONSTRUCTION AND OPERATION OF TEEPEE OR OTHER WOOD WASTE BURNERS.: All teepee or other wood waste burners shall be operated in accordance with the following regulations:

- 1. Adjustment of forced-draft under fire air shall be by variable speed blower or fans, dampers or by-passes or by other approved means.
- 2. The introduction of overfire air shall be principally by adjustable tangential air inlets located near the base of the wood waste burner or by other approved means.
- 3. A thermocouple and recording pyrometer or other approved temperature measurement and recording devices shall be installed and maintained. The thermocouple shall be installed on the burner at a location six inches above and near the center of the horizontal screen or at another approved location.
- 4. During burner operation the burner exit temperatures shall be maintained as high as possible so as to maintain efficient combustion.
- 5. A daily written log of the wood waste burner operations shall be maintained to determine optimum patterns of operation for various fuel and atmospheric conditions. The log shall include, but not be limited to, the time of day, draft settings, exit gas temperature, type of fuel, and atmospheric conditions. The log or a copy shall be submitted to the City Council of the City of Polson, Montana within ten days upon request.

1 6. Auxiliary fuel shall be used as necessary during startup
2 and during periods of poor combustion to maintain exit tem-
3 peratures required under Subsection 4. Rubber products,
4 asphaltic materials, or materials which cause dense smoke
5 discharge shall not be used as auxiliary fuels.

6 7. Light fuels or wastes shall be introduced into the burning
7 area in such a manner as to minimize their escape from the
8 burner.

9 8. The owners or operators of all wood waste burners shall
10 submit the names of operating and maintenance personnel and
11 specify their duties regarding burner operations and control
12 and any other duties not associated with burner operation
13 control. It must be shown that there is adequate responsibility
14 delegated for proper burner operation, control, and maintenance.
15 The owner is responsible for having an operator trained and com-
16 petent in the operation of the wood waste burner in charge of the
17 wood waste burner.

18 9. No person, firm or corporation shall use a wood waste
19 burner for the burning of other than production process wood
20 waste transported to the burner by continuous flow conveying
21 methods.

22 B. RESTRICTIONS OF EMISSION OF VISABLE AIR
23 CONTAMINANTS: No person shall discharge into the
24 atmosphere from any single source of emission whatsoever
25 any air contaminant of a shade or density darker than that
26 designated as No. 1 on the Ringelmann Chart, or of such
27 opacity as to obscure an observer's view to a degree greater
28 than does smoke designated as No. 1 on the Ringelmann
29 Chart. Provided, however, that the provisions of this
30 Subsection shall not apply to emissions during the building
31 of a new fire, or the cleaning of an existing fire, during
32 which period of time the shade or density of said emission
shall be less than that designated as No. 3 on the Ringelmann
Smoke Chart.

C. RESTRICTION OF EMISSION OF PARTICULATE MATTER
FROM INDUSTRIAL PROCESS: No person, firm or corporation
shall cause, suffer, allow or permit to be discharged into the
outdoor atmosphere from any operation, process or activity,
except (a) fuel burning equipment and (b) incinerators,
particulate matter in excess of the amount shown in Table 1
of this Ordinance. When the process weight falls between two
values in the table, the maximum weight discharged per hour
shall be determined by interpolation.

When the process weight exceeds 60,000 pounds per hour, the
maximum allowable weight discharged per hour will be determined
by the use of the following equation: $E = 55.0 P^{0.11} - 40$.

D. PREVENTING PARTICULATE MATTER FROM BECOMING
AIR-BORNE: No person, firm or corporation shall cause or
permit the handling or transporting or storage of any material
in a manner which allows or may allow controllable particulate
matter to become air-borne. Provided further that no person,
firm or corporation shall cause or permit a building or its
appurtenances, or a road, or a driveway, or an open area to
be constructed, used, repaired or demolished without applying
all reasonable measures as may be required to prevent particulate
matter from becoming air-borne. The City Council of the City of

1 Polson, Montana, may require such reasonable measures
2 as may be necessary to prevent particulate matter from
3 becoming air-borne, including but not limited to, paving
4 or frequent cleaning of roads, driveways and log and board
storage areas, and parking lots; application of dust-free
surfaces; application of water; and the planting and maintenance
of vegetative ground cover.

5 E. CONTROL EQUIPMENT: No person, firm or corporation shall
6 cause or permit the installation or use of any device of any means, which,
7 without resulting in reduction in the total amount of air contaminant emitted,
8 conceals or dilutes an emission of air contaminant which would otherwise
9 violate an air pollution control regulation. Provided further, that no
10 equipment that may produce emissions shall be operated or maintained in
11 such a manner that a nuisance is created. Nothing contained in Chapter 7 of
12 Title 11 of this Code shall in any manner be construed as authorizing or
13 permitting the creation of, or the maintenance of, a nuisance.

14 F. TESTING: The City Council of the City of Polson, Montana, may
15 require any person, firm or corporation to conduct or have conducted testing
16 to determine compliance with any provision of sub-Chapter 5 of Chapter 7
17 of Title 11 of this Code. Said City Council may, at its option witness or
18 conduct such tests. Such testing shall be done at a reasonable time, and all
19 information gathered during a testing operation will be provided to the industry
20 involved as well as to the said City Council.

21 Chapter 7 of Title 11 of the City Code of Polson, 1965, shall be
22 further amended by the addition of Sub-Section 6, which shall be as follows:

23 11-7-6: STATE AND FEDERAL AIR AND WATER STANDARDS

24 All persons, firms or corporations operating or desiring to operate
25 any authorized industry within the industrial zone of the City of Polson,
26 Montana, shall, in addition to complying with the Ordinances of the City of
27 Polson, Montana, meet, comply with and conform to the State of Montana and
28 the Federal air and water quality standards; provided, however, that where
29 said air and water quality standards vary the industry shall, as a minimum
30 requirement, comply with the most strict standard written on each aspect of
31 air and water quality.
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REPEALING CLAUSE. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed subject to the final passage of this Ordinance thirty (30) days subsequent to the date hereof.

PASSED AND APPROVED this 16th day of September, 1968.

Law Corrigan
Mayor

ATTEST:
Ordath E. Moton
Deputy City Clerk

Table 1

Process Weight Rate		Rate of Emission	Process Weight Rate		Rate of Emission
Lb/Hr	Tons/Hr	Lb/Hr	Lb/Hr	Tons/Hr	Lb/Hr
100	0.05	0.551	16,000	8.00	16.5
200	0.10	0.877	18,000	9.00	17.9
400	0.20	1.40	20,000	10.	19.2
600	0.30	1.83	30,000	15.	25.2
800	0.40	2.22	40,000	20.	30.5
1,000	0.50	2.58	50,000	25.	35.4
1,500	0.75	3.38	60,000	30.	40.0
2,000	1.00	4.10	70,000	35.	41.3
2,500	1.25	4.76	80,000	40.	42.5
3,000	1.50	5.38	90,000	45.	43.6
3,500	1.75	5.96	100,000	50.	44.6
4,000	2.00	6.52	120,000	60.	46.3
5,000	2.50	7.58	140,000	70.	47.8
6,000	3.00	8.56	160,000	80.	49.0
7,000	3.50	9.49	200,000	100.	51.2
8,000	4.00	10.4	1,000,000	500.	69.0
9,000	4.50	11.2	2,000,000	1,000.	77.6
10,000	5.00	12.0	6,000,000	3,000.	92.7
12,000	6.00	13.6			

Interpolation of the data in this table for process weight rates up to 60,000 lb/hr shall be accomplished by use of the equation $E = 4.10 P^{0.67}$, and interpolation and extrapolation of the data for process weight rates in excess of 60,000 lb/hr shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40, \text{ where } E = \text{rate of emission in lb/hr and}$$

$P = \text{process weight rate in tons/hr.}$