



November 19, 2025

MR. TOM STINCHFIELD
CITY OF BILLINGS ANIMAL CONTROL
1735 MONAD RD.
BILLINGS, MT 59101

Violation Letter #: 20251118-00484

Dear Mr. Stinchfield,

The Montana Department of Environmental Quality (DEQ) is issuing Violation Letter # VL-20251118-00484 to the City of Billings Animal Control (BAC), for violations of the Administrative Rules of Montana (ARM) and conditions of the Montana Air Quality Permit (MAQP) #3286-01.

On September 10, 2025, BAC allowed the Billings Police Department, in conjunction the Federal Bureau of Investigation, to utilize its permitted crematory for the destruction of illegal drugs. During the burning of these materials, operational conditions creating a negative pressure environment resulted in the back-flow of crematory emissions into the BAC building. This event exposed a number of personnel and animals within the building to potentially harmful emissions.

Based on the September 10, 2025 event, DEQ requested incinerator records from BAC. DEQ staff reviewed the BAC records as part of its investigation into the September 10, 2025 incident, and of the operations of the BAC facility over time.

1. Failure to Operate Equipment to Provide Maximum Air Pollution Control

Under the authority of Section III.C of MAQP #3286-01, nothing in MAQP #3286-01 shall relieve BAC of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.* (ARM 17.8.756). Specifically, ARM 17.8.752(2) requires that the owner of a facility or emitting unit for which a permit is required shall operate all equipment to provide the maximum air pollution control for which it was designed.

The September 10, 2025, alternative burn was performed under operational conditions resulting in a negative pressure environment. Operation of the unit under these conditions led to the backflow of the cremation unit emissions into the building, and emissions not being routed through the secondary burn chamber (pollution control equipment) in the manner for which it was designed. Such operations did not satisfy the requirement to operate the equipment to provide the maximum

air pollution control for which it was designed. BAC's failure to operate the system to provide the maximum air pollution control for which it was designed is a violation of ARM 17.8.752(2).

2. Failure to Adequately Utilize Auxiliary Fuel Burners

Under the authority of Section II.A.2 of MAQP #3286-01, BAC is required to utilize the auxiliary fuel burners to preheat the secondary chamber of the crematorium to the minimum required operating temperature prior to igniting the primary chamber burner. The operating temperatures shall be maintained during operation and for one-half hour after waste feed has stopped (ARM 17.8.752).

Temperature wheel and cremation log records from the BAC operations show 17 instances of incineration/cremation occurring when the secondary chamber was below the minimum required operating temperature. BAC failed to appropriately utilize the auxiliary fuel burners to preheat the secondary chamber of the crematorium as required for the 17 occurrences listed in Table 1.

Table 1. Summary of Secondary Temperature Violations

Date	# of instances	Type of burn	Load Weight (lbs)	Secondary Chamber (°F)
8/27/25	1	Animal	150	1306
8/13/25	1	Animal	100	1297
7/23/25	2	Drug/Animal	61/50	148/1364
7/9/25	1	Animal	125	1110
6/18/25	1	Animal	200	1279
6/11/25	1	Animal	100	80
6/5/25	1	Animal	125	1367
No date	1	Animal	250	76
No date	1	Animal	200	1010
5/14/25	1	Animal	200	77
No date	1	Animal	125	74
2/19/25	1	Animal	150	775
2/12/25	1	Animal	185	1170
10/11/23	1	Animal	240	703
6/28/23	2	Animal	200/200	1308/1078

3. Failure to Maintain Temperatures

Under the authority of Section II.A.3 of MAQP #3286-01, BAC is required to maintain the secondary chamber operating temperature of the crematorium above 1500 degrees Fahrenheit (°F) for any one-hour averaging period, with no single reading less than 1400°F (ARM 17.8.752).

Temperature wheel and cremation log records from the BAC operations show 17 instances of incineration/cremation occurring when the secondary chamber was below the permit required 1400°F for any single reading. BAC failed to comply with the secondary chamber temperature requirement for the 17 occurrences listed in Table 2.

Table 2. Summary of Secondary Temperature Violations

Date	# of instances	Type of burn	Load Weight (lbs)	Secondary Chamber (°F)
8/27/25	1	Animal	150	1306
8/13/25	1	Animal	100	1297
7/23/25	2	Drug/Animal	61/50	148/1364
7/9/25	1	Animal	125	1110
6/18/25	1	Animal	200	1279
6/11/25	1	Animal	100	80
6/5/25	1	Animal	125	1367
No date	1	Animal	250	76
No date	1	Animal	200	1010
5/14/25	1	Animal	200	77
No date	1	Animal	125	74
2/19/25	1	Animal	150	775
2/12/25	1	Animal	185	1170
10/11/23	1	Animal	240	703
6/28/23	2	Animal	200/200	1308/1078

Sections 75-2-401, 412 and 413, Montana Code Annotated (MCA) describe the formal enforcement actions that may be taken when DEQ believes there has been a violation of the Clean Air Act of Montana, a rule adopted under the act, or an order or permit issued under the act. This violation letter is being issued based upon the DEQ's initial determination that violations have occurred. If you would like to submit a written response, please do so within 15 days after receipt of this letter.

DEQ may initiate a formal enforcement action, and violations documented in this letter may be used to establish a history or pattern of violations. DEQ will notify you before proceeding with a formal enforcement action.

If you have any questions regarding this letter, please contact me at (406) 247-4447 or by e-mail at Adam.Bradley@mt.gov.

Sincerely,



Adam Bradley
Engineering Scientist
Montana Department of Environmental Quality
Air Quality Bureau



Jamin Grantham
Field Services Section Supervisor
Montana Department of Environmental Quality
Air Quality Bureau

Cc: Bo Wilkins bo.wilkins@mt.gov