

AIR QUALITY PERMIT

Issued To: Baltrusch Construction Co., Inc.
P.O. Box 111
1287 Highway 87 West
Havre, MT 59501

Permit #3061-00
Application Complete: 06/22/99
Preliminary Determination: 07/06/99
Department Decision Issued: 07/22/99
Permit Final: 08/07/99
AFS #777-3061

An air quality permit, with conditions, is granted to the above-named permittee, hereinafter referred to as "Baltrusch," pursuant to Section 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.701, *et seq.*, as amended, for the following:

Section I: Permitted Facilities

- A. Permitted Equipment: A portable 1999 ADM RB-160 Drum Mix Asphalt Plant, serial #DM482-99 (maximum capacity 180 TPH) with a Venturri Wet Scrubber; a 1991 Spo-Mac four bin cold feed, serial #PCFB9106; a 1998 shop made 20' transport conveyor; a 1999 diesel generator (400 kw); and associated equipment.
- B. Original Location: Located at the east end of Havre, Montana, just north of the BNSF Railroad in Section 4 (NE $\frac{1}{4}$), Township 31N, Range 14E, in Hill County. Permit #3061-00 applies while operating in any location in the State of Montana, except within those areas that have a Department of Environmental Quality (department) approved permitting program.

Section II: Limitations and Conditions

- A. Emission Limitations
 - 1. Asphalt plant particulate matter emissions shall be limited to 0.04 gr/dscf (ARM 17.8.340, ARM 17.8.715, and 40 CFR 60 Subpart I).
 - 2. Baltrusch shall not cause or authorize to be discharged into the atmosphere, from the asphalt plant, stack emissions that exhibit 20% opacity or greater averaged over six consecutive minutes (ARM 17.8.304, ARM 17.8.340, and ARM 17.8.715).
 - 3. Baltrusch shall not cause or authorize to be discharged into the atmosphere from systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems, any visible emissions that exhibit opacity of 20% or greater averaged over six consecutive minutes (ARM 17.8.308, ARM 17.8.340, and ARM 17.8.715).
 - 4. Baltrusch shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308 and ARM 17.8.715).

5. Baltrusch shall treat all unpaved portions of the haul roads, access roads, and the general plant area with water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation in Section II.A.4 (ARM 17.8.715).
6. A wet scrubber for air pollution control, with a device to measure the pressure drop (magnehelic gauge, manometer, etc.), must be installed and maintained. Pressure drop must be measured in inches of water. Temperature indicators at the control device inlet and outlet must be installed and maintained (ARM 17.8.710).
7. Once a stack test is performed, the asphalt production rate shall be limited to the average production rate during the last source test demonstrating compliance (ARM 17.8.710).
8. Baltrusch shall comply with all applicable standards, limitations, and the reporting, record keeping, and notification requirements contained in 40 CFR Part 60, Subpart I for the asphalt plant (ARM 17.8.340 and 40 CFR 60).
9. If the permitted equipment is used in conjunction with any other equipment owned or operated by Baltrusch, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons/year during any rolling twelve (12) month time period. Any calculations used to establish production levels shall be approved by the department. (ARM 17.8.710).

B. Emission Testing

1. Within 60 days after achieving maximum production rate, but no later than 180 days after initial start up of the new equipment listed in Section I.A, an EPA Methods 1-5 source test shall be performed on the asphalt plant to demonstrate compliance with Section II.A.1 and an EPA Method 9 opacity test shall be performed in conjunction with all particulate tests to demonstrate compliance with the conditions specified in Section II.A.2 and II.A.3 (ARM 17.8.105 and ARM 17.8.710).
2. A source test must be performed on the asphalt plant every four years after the initial source test to demonstrate compliance with the conditions specified in Section II.A.1, II.A.2, and II.A.3 (ARM 17.8.105 and ARM 17.8.710).
3. Pressure drop on the control device and temperature must be recorded daily and kept on site according to Section II.C.2 (ARM 17.8.710).
4. Pressure drop on the control device and temperatures must be recorded during the test and reported as part of the test results (ARM 17.8.710).
5. All source tests must be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
6. Since asphalt production will be limited to the average production rate during the test, it is suggested the test be performed at the highest production rate

practical (ARM 17.8.710).

7. Baltrusch may retest at any time in order to test at a higher production rate (ARM 17.8.710).
8. The department may require further testing (ARM 17.8.105).

C. Reporting Requirements

1. If this asphalt plant is moved to another location, a Notice of Intent to Transfer Location of Air Quality Permit must be published in a newspaper of general circulation in the area to which the transfer is to be made. This notice must be published at least fifteen (15) days prior to the move. Proof of publication and a change of location form must be submitted to the Montana Department of Environmental Quality prior to the move. These forms are available from the department (ARM 17.8.734).
2. Baltrusch shall maintain on-site records showing daily hours of operation, daily production rates, and daily pressure drop and temperature readings for the last twelve (12) months. The records compiled in accordance with this permit shall be maintained by Baltrusch as a permanent business record for at least five (5) years following the date of the measurement, shall be submitted to the department upon request, and shall be available at the plant for inspection by the department (ARM 17.8.710).
3. Baltrusch shall supply the department with annual production information for all emission points, as required by the department, in the annual emission inventory request. The request will include, but is not limited to, all sources identified in the most recent emission inventory report and sources identified in Section I.A of this permit.

Production information shall be gathered on a calendar-year basis and submitted to the department by the date required in the emission inventory request. Information shall be in units as required by the department (ARM 17.8.505).

4. Baltrusch shall notify the department of any construction or improvement project conducted pursuant to ARM 17.8.701(1)(r) that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emissions unit. The notice must be submitted to the department, in writing, 10 days prior to start up or use of the proposed deminimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the deminimis change, and must include the information requested in ARM 17.8.705(1)(r)(iv) (ARM 17.8.705).

Section III: General Conditions

- A. Inspection - The recipient shall allow the department's representatives access to the source at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if the recipient fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving the permittee of the responsibility for complying with any applicable federal or Montana statute, rule or standard, except as specifically provided in ARM 17.8.701, *et seq.* (ARM 17.8.717).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401, *et seq.*, MCA.
- E. Appeals - Any person or persons jointly or severally adversely affected by the department's decision may request, within fifteen (15) days after the department renders its decision, upon affidavit setting forth the grounds therefor, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The department's decision on the application is not final unless fifteen (15) days have elapsed and there is no request for a hearing under this section. The filing of a request for a hearing postpones the effective date of the department's decision until the conclusion of the hearing and issuance of a final decision by the Board.
- F. Permit Inspection - As required by ARM 17.8.716, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by department personnel at the location of the permitted source.
- G. Construction Commencement - Construction must begin within three years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked.
- H. Permit Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, the continuing validity of this permit is conditional upon the payment by the permittee of an annual operation fee as required by that Section and rules adopted thereunder by the Board.
- I. The department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Baltrusch shall comply with the conditions contained in this permit while operating at any location in the state of Montana, except within those areas that have a department approved permitting program.

Permit Analysis
Baltrusch Construction Co., Inc.
Permit #3061-00

I. Introduction / Process Description

A. Introduction

On June 22, 1999, Baltrusch submitted a complete permit application to operate a portable 1999 ADM RB-160 Drum Mix Asphalt Plant, serial #DM482-99, (maximum capacity 180 TPH) with a Venturri Wet Scrubber; a 1991 Spo-Mac four bin cold feed, serial #PCFB9106; a 1998 shop-made 20' transport conveyor; a 1999 diesel generator (400 kw); and associated equipment. The original site location is at the east end of the of Havre, just north of the BNSF Railroad in Section 4 (NE¼), Township 31N, Range 14E, in Hill County, Montana.

B. Process Description

For a typical operation, the raw gravel material is loaded into the four-bin cold feed. The gravel is then conveyed to the hot mix asphalt plant (drum mixer). The gravel is mixed with hot oil in the asphalt drum mixer to create asphalt. Hot asphalt then exits the plant and is transported (via a hot drag slot elevator) to a self-erect silo, where it is ultimately loaded into haul trucks and transported to the current project site.

II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available upon request from the department. Upon request, the department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Sub-Chapter 1, General Provisions, including, but not limited to:

1. ARM 17.8.101, Definitions. This rule is a list of applicable definitions used in this chapter unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105, Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the department. The department has determined for the current permit action that testing every four years is necessary.
3. ARM 17.8.106, Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, MCA.

Baltrusch shall comply with all requirements contained in the Montana Source Test Protocol and Procedures Manual including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from

the department upon request.

4. ARM 17.8.110, Malfunctions. The department must be notified promptly by phone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation, or to continue for a period greater than four hours.
5. ARM 17.8.111, Circumvention. No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate an air pollution control regulation. No equipment that may produce emissions shall be operated or maintained in such a manner that a public nuisance is created.

B. ARM 17.8, Sub-Chapter 2, Ambient Air Quality, including, but not limited to:

The following ambient air quality standards or requirements may apply, including, but not limited to:

1. ARM 17.8.210, Ambient Air Quality Standards for Sulfur Dioxide;
2. ARM 17.8.211, Ambient Air Quality Standards for Nitrogen Dioxide;
3. ARM 17.8.212, Ambient Air Quality Standards for Carbon Monoxide;
4. ARM 17.8.220, Ambient Air Quality Standards for Settled Particulate Matter; and
5. ARM 17.8.223, Ambient Standards for PM10.

Baltrusch must comply with the applicable ambient air quality standards. See Section V, Existing Air Quality and Impacts.

C. ARM 17.8, Sub-Chapter 3, Emission Standards, including, but not limited to:

1. ARM 17.8.304, Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over six consecutive minutes.
2. ARM 17.8.308, Particulate Matter, Airborne. This section requires an opacity limitation of 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter.
4. ARM 17.8.309, Particulate Matter, Fuel Burning Equipment. This section requires that no person shall cause, allow, or permit to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.
4. ARM 17.8.310, Particulate Matter, Industrial Process. This section requires that no person shall cause, allow, or permit to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.
5. ARM 17.8.322, Sulfur Oxide Emissions-Sulfur in Fuel. Commencing July 1, 1971, no person shall burn any gaseous fuel containing sulfur

compounds in excess of 50 grains per 100 cubic feet of gaseous fuel, calculated as hydrogen sulfide at standard conditions.

6. ARM 17.8.340, Standard of Performance for New Stationary Sources. The owner and operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, shall comply with the standards and provisions of 40 CFR Part 60. This plant consists of a portable 1999 ADM RB-160 Drum Mix Asphalt Plant, serial #DM482-99, (maximum capacity 180 TPH) with a Venturri Wet Scrubber; a 1991 Spo-Mac four bin cold feed, serial #PCFB9106; a 1998 shop made 20' transport conveyor; and associated equipment. Therefore, NSPS (40 CFR Part 60, Subpart A, General Provisions, and Subpart I, Hot Mix Asphalt Facilities) do apply.

D. 17.8, Sub-Chapter 5, Air Quality Permit Application, Operation and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504, Air Quality Permit Application Fees. Baltrusch shall submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the department. Baltrusch has submitted the appropriate permit application fee.
2. ARM 17.8.505, Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the department; and the air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

The annual assessment and collection of the air quality operation fee, as described above, shall take place on a calendar-year basis. The department may insert into any final permit issued after the effective date of these rules such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions which prorate the required fee amount.

E. ARM 17.8, Sub-Chapter 7, Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

1. ARM 17.8.704, General Procedures for Air Quality Pre-construction Permitting. An air quality pre-construction permit shall contain requirements and conditions applicable to both construction and subsequent use.
2. ARM 17.8.705, When Permit Required-Exclusions. This rule requires a facility to obtain an air quality permit if they construct, alter, or use an asphalt plant which has the potential to emit more than five tons per year of any pollutant. Baltrusch has the potential to emit more than five tons per year of particulate matter, PM-10, NOx, CO, SOx, and VOC; therefore, a permit is required.
3. ARM 17.8.706, New or Altered Sources and Stacks, Permit Application Requirements. This rule requires that an application for an air quality permit be submitted for a new or altered source or stack. Baltrusch has submitted their application for an air quality permit as required for the construction and

operation of a portable 1999 ADM RB-160 Drum Mix Asphalt Plant, serial #DM482-99, (maximum capacity 180 TPH) with a Venturri Wet Scrubber, and associated equipment.

4. ARM 17.8.710, Conditions for Issuance of Permit. This rule requires that the source demonstrate compliance with applicable rules and standards before a permit can be issued. Also, a permit may be issued with such conditions as are necessary to assure compliance with all applicable rules and standards. The source has demonstrated compliance with applicable rules and standards as required for permit issuance.
 5. ARM 17.8.715, Emission Control Requirements. Baltrusch is required to install on the new or altered source the maximum air pollution control capability which is technically practicable and economically feasible. A Best Available Control Technology (BACT) review was conducted for the new or altered source and can be found in Section IV of the Permit Analysis.
 6. ARM 17.8.716, Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the department at the location of the source.
 7. ARM 17.8.717, Compliance with Other Statutes and Rules. This rule requires the permit holder to comply with all other applicable federal and Montana statutes, rules and standards.
 8. ARM 17.8.720, Public Review of Permit Applications. This rule requires that Baltrusch notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application of its application for a permit. Baltrusch submitted an affidavit of publication from the *Havre Daily News* as proof of compliance with the public notice requirements.
 9. ARM 17.8.731, Duration of Permit. An air quality permit shall be valid until revoked or modified as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than one year after the permit is issued.
 10. ARM 17.8.733, Modification of Permit. An air quality permit may be modified for changes in any applicable rules or standards adopted by the board or changed conditions of operation at a source or stack which do not result in an increase in emissions because of the changed conditions of operation. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.
 11. ARM 17.8.734, Transfer of Permit. An air quality permit may be transferred from one location to another if written notice of intent to transfer is sent to the department.
- F. ARM 17.8, Sub-Chapter 8, Prevention of Significant Deterioration of Air Quality, including, but not limited to:
1. ARM 17.8.801, Definitions. This rule is a list of applicable definitions used in

this subchapter.

2. ARM 17.8.818, Review of Major Stationary Sources and Major Modification-- Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 - ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the Federal Clean Air Act that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source, because it is not a listed source and does not have the potential to emit more than 250 tons per year (excluding fugitive emissions) or more of any air pollutant.

- G. ARM 17.8, Subchapter 12 - Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201, Definitions. (23) Major Source under Section 7412 of the Federal Clean Air Act (FCAA) is defined as any stationary source having:
 - a.
 - i. Potential To Emit (PTE) > 10 tons/year of any one hazardous air pollutant (HAP), or
 - ii. PTE > 25 tons/year of a combination of all HAPs, or
 - iii. lesser quantity as the department may establish by rule.
 - b. PTE > 100 tons/year of any pollutant.
 - c. Sources with the PTE > 70 tons/year of PM-10 in a serious PM-10 non-attainment area.
2. ARM 17.8.1204, Air Quality Operating Permit Program Applicability. Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #3061-00 for Baltrusch, Inc. the following conclusions were made:

- a. The facility's PTE is less than 100 tons/year for all criteria pollutants.
- b. The facility's PTE is less than 10 tons/year of any one HAP and less than 25 tons/year of all HAPs.
- c. This source is not located in a serious PM-10 nonattainment area.
- d. This facility is not subject to any current NESHAP standards.
- e. This source is not a Title IV affected source nor a solid waste combustion unit.
- f. This source is not an EPA designated Title V source.

Baltrusch is not subject to Title V Operating Permit requirements because the source's potential to emit is below the major source threshold. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, Baltrusch will be required to obtain an Operating Permit.

III. Emission Inventory--Permit #3061-00

Source	tons/yr					
	PM	PM-10	NOx	VOC	CO	SOx
1999 ADM RB160 Drum Mix Asphalt Plant	25.45	20.36	23.65	40.21	44.15	2.60
Elevators, Screens, Bins, and Mixer	29.57	23.65				
Cold Aggregate Handling	39.42	31.54				
Haul Roads	2.74	1.23				
Diesel Generator (400 kw)	5.17	5.17	72.83	5.80	15.69	4.82
Total	102.34	81.95	96.48	46.01	59.84	7.42

* A complete emission inventory for permit #3061-00 is on file with the department.

IV. BACT Determination

A Best Available Control Technology (BACT) determination is required for any new or altered source. Baltrusch shall install on the new or altered source the maximum air pollution control capability which is technologically practicable and economically feasible, except that Best Available Control Technology shall be used.

All visible emissions from the 1999 ADM Drum Mix asphalt plant are limited to 20% opacity. All asphalt plant particulate matter emissions are limited to 0.04 gr/dscf. Baltrusch must take reasonable precautions to limit the fugitive emissions of particulate matter from the haul roads, access roads, parking areas, and general plant property. The department has determined that maintaining compliance with the emissions limitations in Sections II.A.1, II.A.2, and II.A.3 of the permit and the reasonable precautions limitations constitutes BACT for the asphalt plant.

The control options that have been selected have controls and control costs similar to other recently permitted similar sources and are capable of achieving the appropriate emission standards.

V. Existing Air Quality Impacts

This permit is for a portable asphalt plant to be located in various locations around Montana. In the view of the department, the amount of controlled particulate emissions generated by this project will not cause concentrations of PM-10 in the ambient air that exceed the set standard.

VI. Taking or Damaging Implication Analysis

As required by 2-10-101 through 2-10-105, MCA, the department has conducted a private property taking and damaging assessment and has determined there are no taking or damaging implications.

VII. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act, was completed for this project. A copy is attached.

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air and Waste Management Bureau
P.O. Box 200901, Helena, Montana 59620
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued For: Baltrusch Construction Co., Inc.
P.O. Box 111
1287 Highway 87 West
Havre, MT 59501

Air Quality Permit Number: 3061-00

Preliminary Determination Issued: 07/06/99
Department Decision Issued: 07/22/99
Final Permit Issued: 08/07/99

Montana Environmental Policy Act (MEPA) Compliance: An environmental assessment required by the MEPA, was completed for this project as follows.

Legal Description of Site: (portable source) Originally located at the east end of Havre, just north of the BNSF Railroad in Section 4 (NE¼), Township 31N, Range 14E, in Hill County, Montana. Permit #3061-00 applies while operating in any location in the State of Montana, except within those areas that have a department approved permitting program.

Description of Project:

Benefits and Purpose of Proposal: Increased business and revenue for the company. This plant crushes and sorts sand and gravel for use in various construction industries.

Description and analysis of reasonable alternatives whenever alternatives are reasonably available and prudent to consider: No reasonable alternatives available.

A listing and appropriate evaluation of mitigation, stipulations and other controls enforceable by the agency or another government agency: A list of enforceable conditions, including a Best Available Control Technology (BACT) analysis, are contained in permit #3061-00.

Description and analysis of regulatory impacts on private property rights: The department has considered alternatives to the conditions imposed in this permit as part of the permit development. The department has determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.

Potential Impact on Physical Environment							
		Major	Moderate	Minor	None	Unknown	Comments Included
1	Terrestrial and Aquatic Life and Habitats			X			Yes
2	Water Quality, Quantity and Distribution			X			Yes
3	Geology & Soil Quality, Stability and Moisture			X			Yes
4	Vegetation Cover, Quantity and Quality			X			Yes
5	Aesthetics			X			Yes
6	Air Quality			X			Yes
7	Unique Endangered, Fragile or Limited Environmental Resource				X		Yes
8	Demands on Environmental Resource of Water, Air and Energy			X			Yes
9	Historical and Archaeological Sites				X		Yes
10	Cumulative and Secondary Impacts			X			Yes

Potential Impact on Human Environment							
		Major	Moderate	Minor	None	Unknown	Comments Included
1	Social Structures and Mores				X		Yes
2	Cultural Uniqueness and Diversity				X		Yes
3	Local and State Tax Base and Tax Revenue			X			Yes
4	Agricultural or Industrial Production			X			Yes
5	Human Health			X			Yes
6	Access to and Quality of Recreational and Wilderness Activities			X			Yes
7	Quantity and Distribution of Employment				X		Yes
8	Distribution of Population				X		Yes
9	Demands for Government Services			X			Yes
10	Industrial and Commercial Activity			X			Yes
11	Locally Adopted Environmental Plans & Goals				X		Yes
12	Cumulative and Secondary Impacts			X			Yes

SUMMARY OF COMMENTS ON POTENTIAL IMPACTS: The following comments have been prepared by the Department.

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

1. Terrestrial and Aquatic Life and Habitats

Terrestrials will use the areas in which the asphalt operations occur. However, due to the relatively small size and temporary nature of the operation, any affect on terrestrial life will be minor and short lived.

2. Water Quality, Quantity and Distribution

Water will be used as pollution control, but will only cause a minor disturbance to the area. No surface water or ground water quality problems are expected as a result of using water for pollution control. Any accidental spills or leaks from equipment will be handled according to the appropriate environmental regulations in an effort to minimize any potential adverse impact on the immediate and surrounding area.

3. Geology and Soil Quality, Stability and Moisture

The soils in the affected pit area will be impacted by the asphalt operations. The impacts will be minor due to the relatively small size and temporary nature of the operation.

4. Vegetation Cover, Quantity and Quality

Existing vegetative cover will be affected by the proposed project. However, any impact will be minor due to the portable and temporary nature of the operation.

5. Aesthetics

The asphalt operations will be visible and will create additional noise in the area. Permit #3061-00 includes conditions to control emissions (including visible emissions) from the plant. Since the asphalt operations are small and temporary, any aesthetic impact will be minimal.

6. Air Quality

The air quality impacts from the asphalt operations are minor. Permit #3061-00 includes conditions limiting the opacity from the plant, as well as requiring water spray bars and other means to control air pollution.

7. Unique Endangered, Fragile or Limited Environmental Resources

The department has contacted the Montana Natural Heritage Program (MNHP) in an effort to identify any species of special concern that may be found in the proposed area. Search results have concluded there are no such environmental resources on file for the area. Area in this case will be defined by the township and range of the proposed site, with an additional one-mile buffer.

8. Demands on Environmental Resource of Water, Air and Energy

The asphalt operations will only demand small quantities of water, air, and energy for

proper operation. Generally, the operations are seasonal, which result in smaller demands on the environmental resources.

9. Historical and Archaeological Sites

The asphalt operation will take place within a previously disturbed Industrial open cut pit. According to the Montana State Historic Preservation Office, there is low likelihood of disturbance to any known archaeological or historic site given any previous industrial disturbance in the area. Therefore, it is unlikely that the asphalt operation will have an adverse affect on any known historic or archaeological site.

10. Cumulative and Secondary Impacts

The asphalt operation will cause a minor affect to both the physical and human environment. There is potential for other operations to locate at these sites. However, any operations will have to apply for and hold the appropriate permits from the department prior to operation. These permits will address the environmental impacts associated with the operations at this or any other site. Further, if the permitted equipment is used in conjunction with any other equipment owned or operated by Baltrusch, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons/year.

POTENTIAL IMPACT ON HUMAN ENVIRONMENT

1. Social Structures and Mores

In the view of the department, the asphalt operation will cause no disruption to native or traditional lifestyles or communities of any potential site or area of operation

2. Cultural Uniqueness and Diversity

In the view of the department, it is unlikely that the asphalt operations will have an adverse impact on the cultural uniqueness and diversity of any proposed area of operation.

3. Local and State Tax Base and Tax Revenue

The proposed asphalt operations will have little, if any, affects on local and state tax base and tax revenue. The facility is relatively small and will not remain at one individual site long enough to have a significant impact on local and state tax base and revenue.

4. Agricultural or Industrial Production

The asphalt operations will take place in a previously disturbed industrial area. Therefore, the permitted operation will not adversely affect or displace any agricultural land.

In addition, the asphalt operations are small by industrial standards and will, therefore, have only a minor impact on any local industrial production.

5. Human Health

Permit #3061-00 incorporates conditions to ensure that the asphalt operations will be operated in compliance with all applicable rules and standards. These rules and standards are designed to be protective of human health.

6. Access to and Quality of Recreational and Wilderness Activities

It is not expected that the asphalt operations will affect any access to recreational and wilderness activities. However, minor affects to the quality of recreational activities may be created by the noise from the site. Any impacts from the site will be temporary, due to the portable nature of the asphalt operations.

7. Quantity and Distribution of Employment

Given the relatively small size and temporary nature of the operation it is not expected that the activities from the asphalt operations will affect the quantity and distribution of employment in the area.

8. Distribution of Population

Given the relatively small size and temporary nature of the operation it is not expected that the activities from the asphalt operations will disrupt the normal population distribution in the area.

9. Demands of Government Services

Minor increases will be seen in traffic on existing roads in the area while the asphalt operations are in progress. In addition, government services will be required for acquiring the appropriate permits from government agencies. Demands for government services will be minimal.

10. Industrial and Commercial Activity

The asphalt operations represent only a minor increase in the industrial activity in any given area. No additional industrial or commercial activity is expected as a result of the asphalt operations.

11. Locally Adopted Environmental Plans and Goals

The department is not aware of any locally adopted environmental plans or goals. The state standards will protect the proposed site and the environment surrounding the site.

12. Cumulative and Secondary Impacts

The asphalt operation will cause a minor affect to both the physical and human environment.

There is potential for other operations to locate at these sites. However, any operations will have to apply for and hold the appropriate permits from the department prior to operation. These permits will address the environmental impacts associated with the operations at this or any other site. Further, if the permitted equipment is used in conjunction with any other equipment owned or operated by Baltrusch, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons/year.

Recommendation: No EIS is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: Since this plant is a portable source, it is unlikely there will be any significant impact. Permit #3061-00 includes conditions and limitations which, if properly applied, will safeguard any potential environmental threat created by the proposed crushing operation.

Other groups or agencies contacted or which may have overlapping jurisdiction: Department of Environmental Quality, State Historic Preservation Office (Montana Historical Society). Industrial and Energy Minerals Bureau.

Individuals or groups contributing to this EA: Department of Environmental Quality, Air and Waste Management Bureau, Industrial and Energy Minerals Bureau, Permitting and Compliance Division, State Historic Preservation Office (Montana Historical Society).

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