



Montana Department of  
**ENVIRONMENTAL QUALITY**

Judy Martz, Governor

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October 31, 2001

Brandon Lerbakken  
Fisher Sand & Gravel  
P.O. Box 1034  
Dickinson, ND 58601

Dear Mr. Lerbakken:

Air Quality Permit #3173-00 is deemed final as of October 31, 2001, by the Department of Environmental Quality (Department). This permit is for the operation of a portable crushing/screening plant. All conditions of the Department's decision remain the same. Enclosed is a copy of your permit with the final date indicated.

For the Department,

David L. Klemp  
Air Permitting Supervisor  
Air & Waste Management Bureau  
(406) 444-3490

DK:lh  
Enclosure

Montana Department of Environmental Quality  
Permitting and Compliance Division

Air Quality Permit #3173-00

Fisher Sand & Gravel  
P.O. Box 1034  
Dickinson, ND 58601

October 31, 2001



## AIR QUALITY PERMIT

Issued To: Fisher Sand & Gravel Co.  
P.O. Box 1034  
Dickinson, ND 58601

Permit #3173-00  
Application Complete: 08/24/01  
Preliminary Determination Issued: 09/27/01  
Department Decision Issued: 10/15/01  
Permit Final: 10/31/01  
AFS #777-3173

An air quality permit, with conditions, is hereby granted to Fisher Sand & Gravel Company (FS&G), pursuant to Sections 75-2-204 and 211, 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: FS&G is proposing to operate a portable crushing plant at various locations throughout Montana. A list of the permitted equipment is contained in the permit analysis.
- B. Plant Location: FS&G's crushing plant is located in the NW¼ of Section 25, Township 16 North, Range 54 East, Dawson County, Montana. Permit #3173-00 applies while operating in any location in the State of Montana, except within those areas having a Department of Environmental Quality (Department) approved permitting program. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*

### Section II: Limitations and Conditions

- A. Operational Limitations and Conditions
  1. All visible emissions from the 1999 Spokane vertical shaft crusher may not exhibit an opacity of 15% or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.715, and 40 CFR 60, Subpart OOO).
  2. FS&G shall not cause or authorize to be discharged into the atmosphere from any other affected equipment, such as screens or conveyor transfers, manufactured after August 31, 1983, any fugitive emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.715, and 40 CFR 60, Subpart OOO).
  3. FS&G shall not cause or authorize to be discharged into the atmosphere from any other associated equipment, used in conjunction with this facility, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.308 and ARM 17.8.715).
  4. FS&G 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. FS&G shall treat all unpaved portions of the haul roads, access roads, parking lots, or 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. Water and spray bars shall be available on site and used, as necessary, to maintain compliance with the opacity limitations in Sections II.A.1, II.A.2, and III.A.3 (ARM 17.8.715).
7. If the permitted equipment is used in conjunction with any other equipment owned or operated by FS&G, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month time period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.710).
8. Total plant production shall not exceed 2,628,000 tons per rolling 12-month time period (ARM 17.8.710).
9. FS&G shall comply with all applicable standards and limitations, and the reporting, recordkeeping, and notification requirements contained in 40 CFR 60, Subpart OOO for the crushing operation and associated equipment (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

B. Testing Requirements

1. Within 60 days after achieving the maximum production rate, but not later than 180 days after initial start up, an EPA Method 9 opacity test and/or other methods and procedures as specified in 40 CFR Part 60.675 must be performed on the 1999 Spokane Vertical Shaft Crusher and any affected equipment (i.e., screens or conveyor transfers) manufactured after August 31, 1983, to demonstrate compliance with the emission limitations contained in Sections II.A.1 and II.A.2 (ARM 17.8.340, 40 CFR Part 60, General Provisions and Subpart OOO).
2. All compliance tests shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
3. The Department may require further testing (ARM 17.8.105).

C. Reporting Requirements

1. If this crushing plant is moved to another location, an Intent to Transfer form must be sent to the Department. In addition, a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The Intent to Transfer form and the proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.734).
2. FS&G shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. All records compiled in accordance with this permit shall be maintained by FS&G as a permanent business record for at least 5 years following the date of the measurement, shall be submitted to the Department upon request, and shall be available at the plant site for inspection by the Department (ARM 17.8.710).

3. FS&G 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 of emissions identified in the most recent emission inventory report and sources identified in Section I.A. of the permit analysis.

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. FS&G shall document, by month, the total production for each month. By the 25<sup>th</sup> day of each month, FS&G shall total the production during the previous 12 months to verify compliance with the limitation in Section II.A.8. A written report of the compliance verification shall be submitted annually to the Department no later than March 15 and may be submitted along with the annual emission inventory.
5. FS&G shall notify the Department of any construction or improvement project conducted pursuant to ARM 17.8.705(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 emission unit. The notice must be submitted to the Department, in writing, 10 days prior to start-up or use of the proposed de minimis change or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis 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 or 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 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, 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 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 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 3 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, failure to pay by the permittee of an annual operation fee may be grounds for revocation of this permit, 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. FS&G shall comply with the conditions contained in this permit while operating in any location in the State of Montana, except within those areas having a Department approved permitting program.

PERMIT ANALYSIS  
Fisher Sand and Gravel Company  
Permit Number 3173-00

I. Introduction/Process Description

A. Permitted Equipment

On August 24, 2001, Fisher Sand and Gravel Company (FS&G), submitted a complete permit application to operate a portable 1999 Spokane vertical shaft crusher (maximum capacity 300 TPH), and associated equipment. FS&G's crusher plant will be located in the NW¼ of Section 25, Township 16 North, Range 54 East, Dawson County, Montana. Permit #3173-00 will apply to the source while operating in any location in the State of Montana, except within those areas having a Department of Environmental Quality (Department) approved permitting program. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*

B. Process Description

FS&G proposes to use this crushing operation and associated equipment to crush and sort sand and gravel materials for use in various construction operations. For a typical operational setup, materials are loaded into a hopper that feeds a conveyor to a portable crushing unit. Material is crushed by the crusher and conveyed to a screen. Properly sized material is conveyed to a stockpile for use and oversized material is conveyed back through the crushing operation and then to a stockpile for use.

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, Subchapter 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 sub-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.
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.*, Montana Code Annotated (MCA).

FS&G 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 telephone 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 4 hours.
5. ARM 17.8.111 Circumvention. No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that 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:

1. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
2. ARM 17.8.223 Ambient Air Quality Standard for PM-10

FS&G must comply with the applicable ambient air quality standards.

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 6 consecutive minutes.
2. ARM 17.8.308 Particulate Matter-Airborne. Under this section, FS&G 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.
3. ARM 17.8.310 Particulate Matter Industrial Processes. 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.
4. ARM 17.8.340 Standards 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, New Source Performance Standards (NSPS), shall comply with the standards and provisions of 40 CFR Part 60. In order for a crushing plant to be subject to NSPS requirements, two specific criteria must be met. First, the crushing plant must meet the definition of an affected facility and, second, the equipment in question must have been constructed, reconstructed, or modified after August 31, 1983. Because the crusher capacity is greater than 150 TPH and the plant was manufactured after August 31, 1983, the plant meets the definition of an affected facility and, subsequently, is subject to NSPS requirements (40 CFR Part 60, Subpart OOO and Subpart A).



D. ARM 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. This section requires that an applicant 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. FS&G submitted the appropriate permit application fee, as required for the current permit action.
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. This operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, 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 that pro-rate 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 of the permitted equipment.
2. ARM 17.8.705 When Permit Required--Exclusions. Permits are required for crushing plants that have the potential to emit greater than 5 ton per year of any pollutant. FS&G has the potential to emit more than 5 tons per year of total particulate matter and PM-10,; 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. FS&G submitted the required permit application for this permitting action.
4. ARM 17.8.707 Waivers. ARM 17.8.706 requires the permit application be submitted 180 days before construction begins. This rule allows the Department to waive this time limit. The Department hereby waives this limit.
5. 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 as required for permit issuance. FS&G demonstrated compliance with the applicable rules and standards as required for permit issuance.

6. ARM 17.8.715 Emission Control Requirements. FS&G is required to install on the new or altered source the maximum air pollution control capability that is technically practicable and economically feasible, except that Best Available Control Technology (BACT) shall be utilized. The required BACT analysis is included in Section IV of this permit analysis.
  7. 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.
  8. ARM 17.8.717 Compliance with Other Statutes and Rules. This rule states that nothing in this permit shall be construed as relieving FS&G 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.*
  9. ARM 17.8.720 Public Review of Permit Applications. This rule requires that FS&G notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. FS&G submitted proof of publication from the *Billings Gazette*, a newspaper of general circulation in Yellowstone County, Montana for August 12, 2001; from the *Independent Record*, a newspaper of general circulation in Lewis and Clark County for August 14, 2001; from the *Montana Standard*, a newspaper of general circulation in Silver Bow County for August 15, 2001; and from the *Great Falls Tribune*, a newspaper of general circulation in Cascade County for August 16, 2001.
  10. ARM 17.8.731 Duration of Permit. An air quality permit shall be valid until revoked or modified as provided in this sub-chapter, 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 1 year after the permit is issued.
  11. ARM 17.8.733 Modification of Permit. An air quality permit may be modified for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that 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.
  12. ARM 17.8.734 Transfer of Permit. (1) An air quality permit may be transferred from one location to another if written notice of Intent to Transfer is sent to the Department. (2) An air quality permit may be transferred from one person to another if a written notice of Intent to Transfer, including the names of the transferor and transferee, 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 sub-chapter.

2. ARM 17.8.818 Review of Major Stationary Sources and Major Modifications-- Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through 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 (FCAA) that it would emit, except as this sub-chapter 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 of any air pollutant.

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

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:

- a. Potential to Emit (PTE) greater than 100 ton/year of any pollutant.
- b.
  - i. PTE greater than 10 ton/year of any one Hazardous Air Pollutant (HAP), or
  - ii. PTE greater than 25 ton/year of a combination of all HAP, or
  - iii. Lesser quantity as the Department may establish by rule.
- c. Sources with a PTE greater than 70 ton/year of PM-10 in a serious PM-10 nonattainment area.

2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the Federal Clean Air Act (FCAA) 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 #3173-00 for the FS&G facility, the following conclusions were made.

- a. The facility does not have PTE greater than 100 ton/year of PM<sub>10</sub>.
- b. The facility does not have PTE greater than 10 ton/year of any individual HAP or 25 ton/year of a combination 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 NSPS.
- e. This facility is not subject to any current NESHAP standards.
- f. This source is not a Title IV affected source nor a solid waste combustion unit.
- g. This source is not an EPA designated Title V source.

III. Emission Inventory

SOURCE	Ton/year	
	TSP	PM-10
1999 Spokane Vertical Shaft Crusher (300 TPH)	23.65	1.58
Material Transfer	14.80	0.80
Haul Roads	2.74	1.23
<b>Total</b>	<b>41.19</b>	<b>3.61</b>

- A complete emission inventory for Permit #3173-00 is on file with the Department.

IV. BACT Analysis

A BACT determination is required for any new or altered source. FS&G shall install on the new or altered source the maximum air pollution control capability that is technologically practicable and economically feasible, except that BACT shall be used. All visible emissions from the 1999 Spokane vertical shaft crusher are limited to 15% opacity. In addition, all visible emissions from any other affected equipment manufactured after August 31, 1983, such as screens and transfer points, are limited to 10% opacity. Further, all visible emissions from any other associated equipment manufactured, are limited to 20% opacity. Also, FS&G must take reasonable precautions to limit the fugitive emissions of airborne particulate matter on haul roads, access roads, parking areas, and general plant property. FS&G shall use water spray bars and/or chemical dust suppressant, as necessary, to maintain compliance with the opacity and reasonable precaution limitations. The Department determined that using water spray bars and/or chemical dust suppressant to maintain compliance with the opacity requirements and reasonable precaution limitations constitutes BACT for these sources.

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

V. Air Quality Impacts

Permit #3173-00 is issued to FS&G for the operation of a portable crushing plant to be originally located in the NW¼ of Section 25, Township 16 North, Range 54 East, Dawson County, Montana. Permit #3173-00 will cover the operation while operating at any location within the State of Montana, excluding those counties that have a Department approved permitting program. In the view of the Department, the amount of controlled emissions generated by this facility will not exceed any set ambient standard. In addition, this source is portable and any air quality impacts will be minimal.

VI. Taking or Damaging Implication Analysis

As required by 2-10-101 through 105, MCA, the Department conducted a private property taking and damaging assessment and 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  
1520 East Sixth Avenue  
P.O. Box 200901  
Helena, Montana 59620-0901  
(406) 444-3490

**FINAL ENVIRONMENTAL ASSESSMENT (EA)**

*Issued For:* Fisher Sand and Gravel Company  
P.O. Box 1034  
Dickinson, ND 58601

*Permit Number:* #3173-00

*Preliminary Determination on Permit Issued:* September 27, 2001

*Department Decision Issued:* October 15, 2001

*Permit Final:* October 31, 2001

1. *Legal Description of Site:* FS&G submitted an application to operate a portable crusher in the NW¼ of Section 25, Township 16 North, Range 54 East, Dawson County, Montana. In addition, Permit #3173-00 would apply while operating at any location in the State of Montana, except within those areas having a Department approved permitting program. *A Missoula County air quality permit would be required for locations within Missoula County, Montana.*
2. *Description of Project:* The permit application is for the construction and operation of a portable crushing/screening plant that consists of a portable crusher, screen, diesel generator, diesel motor and associated equipment. The process description is discussed in the permit analysis Section I.B of Permit #3173-00.
3. *Objectives of Project:* FS&G submitted the current permit application to allow for increased business and revenue for the company. The permit would allow FS&G to produce aggregate to sell to customers in construction.
4. *Alternatives Considered:* In addition to the proposed action, the Department also considered the "no-action" alternative. The "no-action" alternative would deny issuance of the air quality preconstruction permit to the proposed facility. However, the Department does not consider the "no-action" alternative to be appropriate because FS&G demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the "no-action" alternative was eliminated from further consideration.
5. *A listing of Mitigation, Stipulations, and Other Controls:* A listing of the enforceable permit conditions and a permit analysis, including a BACT analysis, would be contained in Permit #3173-00.
6. *Regulatory Effects on Private Property Rights:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined 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.

7. The following table summarizes the potential physical and biological effects of the proposed project on the human environment. The "no action alternative" was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A.	Terrestrial and Aquatic Life and Habitats			✓			yes
B.	Water Quality, Quantity, and Distribution			✓			yes
C.	Geology and Soil Quality, Stability, and Moisture			✓			yes
D.	Vegetation Cover, Quantity, and Quality			✓			yes
E.	Aesthetics			✓			yes
F.	Air Quality			✓			yes
G.	Unique Endangered, Fragile, or Limited Environmental Resource			✓			yes
H.	Demands on Environmental Resource of Water, Air, and Energy			✓			yes
I.	Historical and Archaeological Sites				✓		yes
J.	Cumulative and Secondary Impacts			✓			yes

**Summary of Comments on Potential Physical and Biological Effects:** The following comments have been prepared by the Department.

A. Terrestrial and Aquatic Life and Habitats

Terrestrials would use the same areas that the crushing operations occupy. However, the crushing operations alone would present only minor impacts upon terrestrial life in the area because of the temporary nature of the operation. It is not expected that aquatic life would be affected, because there are no streams in the immediate area and the contour of the area is relatively flat. Also, the area in questions is an existing gravel pit permitted through the Industrial and Energy Minerals Bureau.

B. Water Quality, Quantity, and Distribution

Water would be used for dust suppression, but would only cause a minor disturbance to the area since it is an existing permitted gravel pit. No additional surface water or ground water quality impacts are expected as a result of using water for dust suppression, or from any accidental spills or equipment leaks.

C. Geology and Soil Quality, Stability, and Moisture

The soils in the affected area would be impacted by the crushing operations due to the construction and use of the crushing facility. However, given the relatively small size and portable nature of the operation, any impacts would be minor.

D. Vegetation Cover, Quantity, and Quality

The existing vegetation cover would be impacted by the crushing facility emissions. However, given that the operations would occur in a previously disturbed industrial gravel pit and the relatively small size and portable nature of the facility, any impacts would be minor.

E. Aesthetics

The crushing operations would be visible and would create additional noise in the area. Permit #3173-00 would include conditions to control emissions, including visible emissions, from the plant. Since the crushing operations are relatively small, would be located adjacent to a highway, and seasonal/temporary, any aesthetic and noise impacts would be minor.

F. Air Quality

The air quality impacts from the crushing operations would be minor because Permit #3173-00 would include conditions limiting the opacity from the plant, as well as requiring water spray bars and other means to control air pollution. The operations would be limited by Permit #3173-00 to total particulate emissions of 250 ton/year or less from non-fugitive sources at the plant, in addition to any additional equipment at the site.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The proposed project would have no impact on any unique endangered, fragile, or limited environmental resources because there are no such resources in the area. The Department, in an effort to identify any species of special concern associated with the proposed site location, contacted the Montana Natural Heritage Program (MNHP). Search results have concluded there are no such environmental resources in the area. Area, in this case, is defined by the township and range of the proposed site, with an additional one-mile buffer.

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

The crushing operations would only require small quantities of water, air, and energy for proper operation, due to the size of the facility. Generally, the operations are seasonal, and would result in even smaller demands on the environmental resources of water, air, and energy. Any impacts, therefore, would be minor.

I. Historical and Archaeological Sites

The crushing operations would locate within a previously disturbed industrial site typically used for portable crushing operations and portable asphalt plants. According to the Montana State Historic Preservation Office, there is low likelihood of adverse disturbance to any known archaeological or historic site, given previous industrial disturbance within the area. Therefore, the operation would not have an effect on any known historic or archaeological site.

J. Cumulative and Secondary Impacts

The crushing operations would cause minor cumulative and secondary impacts to the physical and biological environment in the immediate area because the plant would generate emissions of particulate matter and PM-10. There is potential for other operations to locate at this site. However, any operations would have to apply for and receive the appropriate permits from the Department prior to operation. The Department believes that this facility could be expected to operate in compliance with all applicable rules and regulations as would be outlined in Permit #3173-00.

8. The following table summarizes the potential economic and social effects of the proposed project on the human environment. The "no action alternative" was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A.	Social Structures and Mores				✓		yes
B.	Cultural Uniqueness and Diversity				✓		yes
C.	Local and State Tax Base and Tax Revenue			✓			yes
D.	Agricultural or Industrial Production				✓		yes
E.	Human Health			✓			yes
F.	Access to and Quality of Recreational and Wilderness Activities				✓		yes
G.	Quantity and Distribution of Employment				✓		yes
H.	Distribution of Population				✓		yes
I.	Demands for Government Services				✓		yes
J.	Industrial and Commercial Activity				✓		yes
K.	Locally Adopted Environmental Plans and Goals				✓		yes
L.	Cumulative and Secondary Impacts			✓			yes

**SUMMARY OF COMMENTS ON POTENTIAL ECONOMIC AND SOCIAL EFFECTS:** The Department has prepared the following comments.

**A. Social Structures and Mores**

The crushing operation would cause no disruption to the social structures and mores in the area because the source is small and temporary.

**B. Cultural Uniqueness and Diversity**

The crushing operations would have no impact on the cultural uniqueness and diversity of the area because the source is small and temporary and would be operating in a permitted open cut pit. Furthermore, the area surrounding the proposed site would remain predominantly unchanged because FS&G would operate a small and temporary facility.

**C. Local and State Tax Base and Tax Revenue**

The crushing operations would have little, if any, effect on the local and state tax base and tax revenue because the facility would be a temporary source; therefore, it would not remain at any individual site for an extended period of time. The 4 to 8 employees working at the facility would be current employees of FS&G.

**D. Agricultural or Industrial Production**

The crushing operations proposed project would locate in a previously disturbed industrial area. Because the facility would operate within a permitted open cut pit, upon completion of the operations, the area would be reclaimed, as specified, by the Industrial and Energy Minerals



Bureau (IEMB). Minor and temporary affects may occur to agricultural land, but IEMB would be responsible for oversight of any reclamation activities. Further, the crushing operations are small by industrial standards and, thus, would have only a minor impact on local industrial production.

E. Human Health

Permit #3173-00 would incorporate conditions to ensure that the crushing operations would be operated in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health. Since these conditions would be incorporated, only minor impacts would be expected from this crushing facility.

F. Access to and Quality of Recreational and Wilderness Activities

The crushing operations would not affect any access to recreational and wilderness activities because of the layout of the surrounding roadways. Recreational and wilderness areas would remain accessible. However, minor effects on the quality of recreational activities would be created by noise from the site.

G. Quantity and Distribution of Employment

The crushing operations would not affect the quantity and distribution of employment in the area because FS&G would only use 4-8 employees for the project. These employees would be currently employed by FS&G and would not relocate to the area permanently.

H. Distribution of Population

The crushing operations would not disrupt the normal population distribution in the area because of the remote location of the site and the size of the operations.

I. Demands of Government Services

Minor increases would be seen on traffic on existing roadways in the area while the crushing operations are in progress. In addition, government services would be required for acquiring the appropriate permits from government agencies. Demands for government services would be minor.

J. Industrial and Commercial Activity

The crushing operations would represent only a minor increase in the industrial activity in the given area because small size of the operations and the portable and temporal nature of the facility. No additional industrial or commercial activity is expected as a result of the proposed operation.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans or goals that would be affected by the proposed project. The state standards would protect the proposed site and the environment surrounding the site.

L. Cumulative and Secondary Impacts

The crushing operations would cause minor cumulative and secondary impacts to the social and economic environment in the immediate area because the source is a portable, temporary source. Minor increases in traffic would have minor effects on local traffic in the immediate area. Because the source is a relatively small, temporary source, only minor economic impacts to the local economy could be expected from the operation of the facility. The Department believes that this facility could be expected to operate in compliance with all applicable rules and regulations as would be outlined in Permit #3173-00.

*Recommendation:* An EIS is not required.

*If an EIS is not required, explain why the EA is an appropriate level of analysis:* All potential effects resulting from construction and operation of the proposed facility are minor, therefore, an EIS is not required. In addition, the source would be applying the Best Available Control Technology and the analysis indicates compliance with all applicable air quality rules and regulations.

*Other groups or agencies contacted or that may have overlapping jurisdiction:* Department of Environmental Quality - Permitting and Compliance Division (Air and Waste Management Bureau and Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and State Historic Preservation Office (Montana Historical Society).

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

*EA prepared by:* Julie Merkel

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