



Montana Department of
ENVIRONMENTAL QUALITY

Judy Martz, Governor

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June 6, 2002

Michael Spaulding
Spaulding Construction
2957 Eastside Highway
Stevensville, MT 59870-6957

Dear Mr. Spaulding:

Air Quality Permit #3189-00 is deemed final as of June 6, 2002, by the Department of Environmental Quality (Department). This permit is for the operation of a portable mixing 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

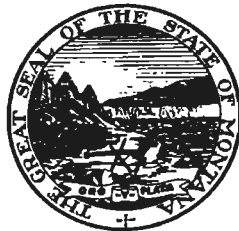
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Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Air Quality Permit #3189-00

Spaulding Construction
2957 Eastside Highway
Stevensville, MT 59870-6957

June 6, 2002



Air Quality Permit

Issued to: Spaulding Construction
2957 Eastside Highway
Stevensville, MT 59870-6957

Permit #3189-00
Complete Application Received: 03/29/02
Preliminary Determination Issued: 05/03/02
Department's Decision Issued: 05/21/02
Permit Final: 06/06/02
AFS#: 777-3189

An air quality permit, with conditions, is hereby granted to Spaulding Construction (Spaulding), pursuant to Section 75-2-204 and 211, of the Montana Code Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.701, *et seq.*, as amended, for the following:

Section I: Permitted Facilities

A. Permitted Equipment

Spaulding operates a portable mixing plant at various locations throughout the state of Montana. The permitted equipment covered by Permit #3189-00 includes one diesel generator of up to 365 kilowatt (kW) (equivalent to 489.5 horsepower (hp)), a silo, a hopper, a vane feeder, an auger, a mixer, and 2 conveyors. A complete list of the permitted equipment is contained in Section I.A of the permit analysis.

B. Plant Location

Spaulding operates the portable mixing plant at various locations throughout Montana. Permit #3189-00 applies while operating at any location within 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.* The portable mixing plant will be originally located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 1 North, Range 19 West, in Ravalli County, Montana.

Section II: Limitations and Conditions

A. Emission Limitations

1. All visible emissions from the portable mixing plant shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304 and ARM 17.8.715).
2. Spaulding shall not cause or authorize to be discharged into the atmosphere, from any other equipment associated with the mixing plant such as transfer points or the diesel generator, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304 and ARM 17.8.715).
3. Water spray bars shall be available on site at all times and operated as necessary to maintain compliance with the opacity limitation contained in Sections II.A.1 and II.A.2 (ARM 17.8.710 and ARM 17.8.715).
4. Spaulding 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. Spaulding 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 17.8.710 and ARM 17.8.715).

6. Total production of the mixing plant shall be limited to 2,190,000 tons during any rolling 12-month time period (ARM 17.8.710).
7. Spaulding shall not operate more than 1 diesel generator at any given time. The maximum capacity of any diesel generator operated under this permit shall not exceed 365 kW (489.5 hp).
8. If the permitted equipment is used in conjunction with any other equipment owned or operated by Spaulding, 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).

B. Testing Requirements

1. All compliance source tests shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
2. The Department may require testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If the portable mixing 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 where 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. Spaulding 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 emission inventory contained in 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 the units required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

3. Spaulding 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).
4. Spaulding shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. The records compiled in accordance with this permit shall be maintained by Spaulding as a permanent business record for at least 5 years following the date of the measurement, must be available at the plant site for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.710).

5. Spaulding shall document, by month, the production of the mixing plant. By the 25th of each month, Spaulding shall total the production of the mixing plant during the previous 12 months to verify compliance with the limitation in Section II.A.6. A written report of the compliance verification shall be submitted along with the annual emissions inventory (ARM 17.8.710).

D. Notification

Spaulding shall provide the Department with written notification of the actual start-up date of the portable mixing plant within 30 days after the actual start-up date (ARM 17.8.710).

Section III: General Conditions

- A. Inspection - Spaulding 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 Spaulding fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving Spaulding 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 who are 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 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. 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.
- 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. Permit Fee - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, the failure to pay the annual operation fee by Spaulding may be grounds for revocation of this permit, as required by that Section and rules adopted thereunder by the Board.
- H. 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 (ARM 17.8.731).
- 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. Spaulding shall comply with the conditions contained in this permit while operating in any location in the state of Montana, except within those areas that have a Department approved permitting program.

Permit Analysis
Spaulding Construction
Air Quality Permit #3189-00

I. Introduction/Process Description

A. Permitted Equipment

With this permit, Spaulding Construction (Spaulding) is allowed to operate a portable mixing plant. The portable mixing plant includes the following equipment: a 1985 feed hopper (250 tons per hour (TPH)); a 1985 vane feeder (250 TPH); a silo with a shop manufactured 12" X 12' auger (5 TPH); a 1985 Cedar Rapids mixer (250 TPH); a 1985 36" X 37.5' conveyor; a 1985 42" X 26.5' conveyor; and a diesel generator of up to 365 kilowatt (kW). The facility is allowed to move to various locations within Montana.

B. Source Description

Gravel is placed in the feed hopper by a front-end loader or a similar piece of equipment. Next, the gravel is conveyed from the hopper to the mixer. At the same time, the vane feeder deposits bentonite onto the gravel being conveyed from the feeder to the mixer. The auger is used to feed the bentonite from the silo to the vane feeder. Once the gravel and bentonite reach the mixer, water is added and the materials are mixed together to achieve the desired mixture. After mixing, the gravel mixture is conveyed from the mixer to a stockpile for use. The diesel generator provides electricity to the portable mixing plant.

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 of Environmental Quality (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 includes 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 emissions 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).

Spaulding shall comply with the 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. (2) 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. (1) 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. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

B. ARM 17.8, Subchapter 2 - Ambient Air Quality, 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 Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM₁₀

Spaulding must comply with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 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. (1) This rule requires an opacity limitation of 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter. (2) Under this rule, Spaulding 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 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize 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 rule requires that no person shall cause or authorize 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 Standards of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR Part 60, Standards of Performance for New stationary sources (NSPS). This facility is not an NSPS affected source because it does not meet the definition of any NSPS Subpart defined in 40 CFR Part 60.

D. ARM 17.8, Subchapter 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. Spaulding submitted the appropriate permit application fee required for permit issuance.
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.

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 which pro-rate the required fee amount.

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

1. ARM 17.8.701 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.704 General Procedures for Air Quality Pre-construction Permitting. This air quality preconstruction permit contains requirements and conditions applicable to both construction and subsequent use of the permitted equipment.
3. ARM 17.8.705 When Permit Required. This rule requires a facility to obtain an air quality permit or permit alteration if they construct, alter, or use any air contaminant sources which have the potential to emit more than 25 tons per year of any pollutant. Spaulding has the potential to emit greater than 25 tons per year NO_x; therefore, a permit is required.
4. ARM 17.8.706 New or Altered Sources and Stacks--Permit Application Requirements. This section requires that a permit application be submitted prior to the installation, alteration, or use of a source. Spaulding submitted the required permit application.
5. 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.
6. ARM 17.8.710 Conditions for Issuance of Permit. This rule requires that the source demonstrate compliance with applicable rules and regulations 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. Spaulding demonstrated compliance with all applicable rules and standards as required for permit issuance.
7. ARM 17.8.715 Emission Control Requirements. Spaulding is required to install on the new or altered source the maximum air pollution control capability which is technically practicable and economically feasible, except that Best Available Control Technology (BACT) shall be utilized. The required BACT analysis is included in Section III of the permit.

8. 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.
9. ARM 17.8.717 Compliance with Other Statutes and Rules. This rule states that nothing in the permit shall be construed as relieving Spaulding of the responsibility for complying with any applicable federal or Montana statute, rule or standard, except as specifically provided in ARM 17.8.701.
10. ARM 17.8.720 Public Review of Permit Applications. This rule requires that the applicant 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 permit. Spaulding submitted an affidavit of publication of public notice for the March 28, 2002, issue of the Ravalli Republic, a newspaper of general circulation in the Town of Hamilton in Ravalli County, Montana, as proof of compliance with the public notice requirements.
11. 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 1 year after the permit is issued.
12. 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 which do not result in an increase of 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.
13. ARM 17.8.734 Transfer of Permit. (1) This section states that 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) This section states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8 Subchapter 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 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 subchapter would otherwise allow.

Spaulding is not a major stationary source because it is not a listed source and the facility does not have the potential to emit more than 250 tons per year or more of any air pollutant.

G. ARM 17.8, Sub-Chapter 12 - Operating Permit Program Applicability, 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) > 100 tons/year of any pollutant;
 - b. PTE > 10 tons/year of any one Hazardous Air Pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or a lesser quantity as the Department may establish by rule; or
 - c. Sources with PTE > 70 tons/year of PM₁₀ in a serious PM₁₀ 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 #3189-00 for Spaulding, 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 PM₁₀ non-attainment 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; and
 - g. This source is not an EPA designated Title V source.

Based on these facts, the Department determined that Spaulding will be a minor source of emissions as defined under Title V.

III. BACT Determination

A BACT determination is required for any new or altered source. Spaulding 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 utilized.

All visible emissions from the portable mixing plant may not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes. Also, Spaulding must take reasonable precautions to limit the fugitive emissions of airborne particulate matter on haul roads, access roads, parking areas, the general area of operation, or from equipment associated with the portable mixing plant. Spaulding shall use spray bars and water or chemical dust suppressant, as necessary, to maintain compliance with the opacity and reasonable precautions limitations. The Department determined that using water or chemical dust suppressant to maintain compliance with the opacity requirements and reasonable precautions limitations constitutes BACT for this source.

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.

IV. Emission Inventory

Source	Tons/Year					
	TSP	PM ₁₀	NO _x	VOC	CO	SO _x
Mixer	17.25	8.21	0.00	0.00	0.00	0.00
Material Transfer	7.94	3.83	0.00	0.00	0.00	0.00
Pile Forming	4.60	2.19	0.00	0.00	0.00	0.00
Bulk Loading	9.20	4.38	0.00	0.00	0.00	0.00
Diesel Generator (635 kW)	4.72	4.72	66.46	5.30	14.32	4.39
Haul Roads	2.74	1.23	0.00	0.00	0.00	0.00
Total	46.44	24.56	66.46	5.30	14.32	4.39

* A complete emission inventory for Permit #3189-00 is on file with the Department.

V. Air Quality Impacts

In the view of the Department, the amount of controlled emissions generated by this project will not exceed any set ambient standard. In addition, this source is portable and any air quality impacts will be minimal and short-lived.

VI. Taking or Damaging Implication Analysis

As required by Section 2-10-101 to 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 to: Spaulding Construction
2957 Eastside Highway
Stevensville, MT 59870-6957

Air Quality Permit Number: 3189-00

Preliminary Determination Issued: 05/03/02

Department Decision Issued: 05/21/02

Permit Final: 06/06/02

1. *Legal Description of Site:* Spaulding would operate the portable mixing plant at various locations throughout the state of Montana. The portable mixing plant would be originally located in the SE ¼ of the SE ¼ of Section 11, Township 1 North, Range 19 West, in Ravalli County, Montana.
2. *Description of Project:* The permit application is for the operation of a portable mixing plant. Spaulding would mix gravel, bentonite, and water together for use in their construction business.
3. *Objectives of the Proposal:* The portable mixing plant would be used to mix gravel, bentonite, and water to be used in Spaulding's construction business. The mixing plant would allow Spaulding to generate business and revenue for the company.
4. *Alternatives Considered:* The "no action alternative" consists of not issuing the permit and was considered but dismissed given that the current permit action, as proposed, will comply with all applicable rules and standards.
5. *A Listing of Mitigation, Stipulations, and Other Controls:* A list of enforceable conditions and a permit analysis, including a best available control technology analysis, would be contained in Permit #3189-00.
6. *Regulatory Effects on Private Property:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions are reasonably necessary to ensure compliance with applicable 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.

Physical and Biological Effects							
		Major	Moderate	Minor	None	Unknown	Comments Attached
A.	Terrestrial and Aquatic Life and Habitats			X			Yes
B.	Water Quality, Quantity, and Distribution			X			Yes
C.	Geology and Soil Quality, Stability, and Moisture			X			Yes
D.	Vegetation Cover, Quantity, and Quality			X			Yes
E.	Aesthetics			X			Yes
F.	Air Quality			X			Yes
G.	Unique Endangered, Fragile, or Limited Environmental Resources			X			Yes
H.	Demands on Environmental Resource of Water, Air, and Energy			X			Yes
I.	Historical and Archaeological Sites				X		Yes
J.	Cumulative and Secondary Impacts			X			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 areas in which the portable mixing plant would operate. Aquatic life may also be present in the areas where the portable mixing plant would operate. While deposition of particles would occur, as explained in Section 7.F of this EA, due to the relatively small size and temporary nature of the operation, dispersion characteristics of pollutants, and conditions placed in Permit #3189-00, any impacts from deposition would be minor. Therefore, the portable mixing plant would present only minor impacts to terrestrial and aquatic life and habitats.

B. Water Quality, Quantity, and Distribution

Although there would be an increase in air emissions in the area where the portable mixing plant would operate, there would be little, if any impacts on the water quality, quantity, and distribution because of the relatively small size and temporary nature of the operation. While deposition would occur, the Department determined that any impacts from deposition would be minor. As described in Section 7.F of this EA, due to the small amount of emissions and conditions placed in Permit #3189-00, the impacts from the air emissions of this portable mixing plant would be minor.

The portable mixing plant would require the use of water to control particulate emissions from the mixing plant and the general work area. However, due to the relatively small size and temporary nature of the operation, any impacts on water quality, quantity, or distribution would be minor. Any accidental spills or leaks from equipment would be handled according to the appropriate environmental regulations in an effort to minimize any potential adverse impacts on the immediate and surrounding area. Overall, the portable mixing plant would have minor impacts to water quality, quantity, and distribution.

C. Geology and Soil Quality, Stability, and Moisture

There would be minor impacts to the geology and soil quality, stability, and moisture in the area where the portable mixing plant would operate due to construction and deposition of pollutants from the operation of the portable mixing plant. Any impacts to the geology and soil quality, stability, and moisture would be minor. As explained in Section 7.F of this EA, the relatively small size and temporary nature of the operation and conditions placed in Permit #3189-00 would minimize the impacts from deposition. Therefore, particulate deposition would result in only minor disturbance to the soil.

D. Vegetation Cover, Quantity, and Quality

There would be minor impacts on the vegetative cover, quantity, and quality, because small amounts of vegetation would likely be disturbed as a result of operating the portable mixing plant. In addition, deposition would occur on the surrounding vegetation. However, as explained in Section 7.F of this EA, the Department determined that, due to the relatively small size and temporary nature of the operation and conditions placed in Permit #3189-00, any impacts from deposition would be minor. In addition, because the water usage would be minor (as described in Section 7.B of this EA) and the associated soil disturbance would be minor (as described in Section 7.C of this EA) corresponding vegetative impacts would also be minor.

E. Aesthetics

The portable mixing plant would be visible and would create additional noise in the areas where it would operate. Since the portable mixing plant is small and temporary, any aesthetic impact would be minimal. Permit #3189-00 would include conditions to control emissions (including visible emissions) from the generator and the surrounding work area.

F. Air Quality

Air quality impacts from the operation of the portable mixing plant would be minor because the portable mixing plant is relatively small. Deposition of pollutants would occur from the operation of the portable mixing plant; however, the Department determined that any air quality impacts from the deposition of pollutants resulting from the operation of the facility would be minor due to dispersion characteristics and conditions placed in Permit #3189-00. Permit #3189-00 would include conditions limiting opacity from facility and would require reasonable precautions to be taken to control emissions from haul roads, access roads, parking lots, or the general work area. In addition, Permit #3189-00 would also limit total emissions from the portable mixing plant and any additional equipment operated at the same site to 250 tons per year or less. Further, because the portable mixing plant's potential emissions are less than 100 tons per year for any pollutant generated, the Department determined that the portable mixing plant is a minor source of emissions as defined under Title V.

G. Unique Endangered, Fragile, or Limited Environmental Resources

In an effort to identify any species of special concern that may be present in the area proposed for the mixing plant to operate, the Department contacted the Montana Natural Heritage Program, Natural Resource Information System (NRIS). NRIS identified the *Salvelinus Confluentus* Pop 2 (Bull Trout), *Oncorhynchus Clarki* Lewis (Westslope Cutthroat Trout), *Felis Lynx* (Lynx) as species of special concern that could possibly be located in the defined area. In addition NRIS identified the *Chrysosplenium Tetrandrum* (Northern Golden-Carpet) as a specie of special concern located in the defined area. The township and range of the proposed site, with an additional 1-mile buffer defined the area in the NRIS reports. NRIS did not identify any species of special concern located directly on the proposed site. In addition, emissions from the portable mixing plant would be minor and the site is an existing

gravel pit. Permit #3189-00 would include conditions limiting opacity from the mixing plant and would require reasonable precautions to be taken to control emissions from haul roads, access roads, parking lots, and the general work area. Further, Permit #3189-00 would also limit total emissions from the portable mixing plant and any additional equipment operated at the same site to 250 tons per year or less. The operation of the portable generator would increase emissions in the area proposed for the mixing plant to operate. However, because of the relatively small size and temporary nature of the mixing plant, any impacts to unique endangered, fragile, or limited environmental resources would be minor. While deposition of pollutants would occur from the operation of the mixing plant, as explained in Section 7.F of this EA, because of the relatively small size and temporary nature of the mixing plant and conditions placed in Permit #3189-00, any impacts to unique endangered, fragile, or limited environmental resources from the deposition of pollutants would be minor.

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

The diesel generator would be used to provide power to the portable mixing plant. Water would be used on haul roads, access roads, parking lots, or the general plant property, as necessary, to control dust resulting from indirect use of the portable mixing plant. Also minor amounts of pollutants would be mixed the ambient air as a result of operating the portable mixing plant. Generally, the operations are seasonal, and would result in smaller demands in environmental resources. Therefore, any impacts to the demands on the environmental resource of water, air, and energy would be minor.

I. Historical and Archaeological Sites

In an effort to identify any historical and archaeological sites that may be present in the area proposed for the portable mixing plant to operate, the Department contacted the Montana Historical Society, State Historic Preservation Office (SHPO). SHPO conducted a cultural resource file search for the proposed area where the portable mixing plant would originally locate. According to SHPO, there is low likelihood of disturbance to any known archaeological or historic site given that the portable mixing plant would be locating in an existing gravel pit. Therefore, the portable mixing plant would not have any effect on any known historic or archaeological site.

J. Cumulative and Secondary Impacts

The portable mixing plant would cause minor effects to the physical and biological environment. There is potential for other operations to locate at the same site. However, any operations (with emissions exceeding air permitting thresholds) would have to apply for and receive the appropriate permits from the Department prior to operation. These permits would address the environmental impacts associated with the operations at the proposed sites.

The operation of the portable mixing plant would be limited by Permit #3189-00 to total emissions of 250 tons/year or less from any non-fugitive emissions and any other additional equipment used at any given site.

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

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

SUMMARY OF COMMENTS ON POTENTIAL SOCIAL AND ECONOMIC EFFECTS: The following comments have been prepared by the Department.

A. Social Structures and Mores

In the view of the Department, the operation of the portable mixing plant would cause no disruption to native or traditional lifestyles or communities (social structures and mores) of any potential site or area of operation because of the relatively small size and temporary nature of the portable mixing plant.

B. Cultural Uniqueness and Diversity

In the view of the Department, the portable mixing plant would not impact the cultural uniqueness and diversity of any proposed area of operation because of the relatively small size and temporary nature of the portable mixing plant.

C. Local and State Tax Base and Tax Revenue

The proposed operation of the portable mixing plant would have little, if any affect on local and state tax base and tax revenue. The facility is a relatively small and temporary source; therefore, it would not remain at any individual site for any extended time period. No full time, permanent employees would be added as a result of issuing Permit #3189-00 and any revenue created by the operation of the portable mixing plant would be widespread and for a relatively short time period.

D. Agricultural or Industrial Production

Under normal circumstances, the operation of the portable mixing plant would take place in a previously disturbed industrial area. Therefore, the Department does not expect that the operation of the portable mixing plant would affect or displace any agricultural land. Further, the portable mixing plant is small by industrial standards and would have only a minor impact on any local industrial production.

E. Human Health

Permit #3189-00 would incorporate conditions to ensure that the portable mixing plant would be operated in compliance with all applicable rules and standards. These rules and standards are designed to be protective of human health. As described in Section 7.F of this EA, while deposition of pollutants would occur, the Department determined that any impacts from deposition would be minor due to dispersion characteristics and conditions placed in Permit #3197-00. The air emissions from this facility would be minimized by opacity limitations on the portable mixing plant and the surrounding operational area. Additionally, the portable mixing plant is relatively small; therefore, any associated impacts to human health would be minor.

F. Access to and Quality of Recreational and Wilderness Activities

The portable mixing plant would not affect any access to recreational and wilderness activities because the mixing plant would be operated in previously disturbed sites. However, minor effects on the quality of recreational activities might be created by the noise from the site. Any impacts from the site would be temporary, due to the portable nature of the mixing plant.

G. 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 operation of the portable mixing plant would affect the quantity and distribution of employment in any given area. No full time, permanent employees would be expected to be hired or discharged as a result of issuing Permit #3189-00.

H. Distribution of Population

Given the relatively small size and temporary nature of the operation, it is not expected that the activities from the portable mixing plant would disrupt the normal population distribution of any given area.

I. Demands of Government Services

Government services would be required for acquiring the appropriate permits and ensuring compliance with the permits that are issued; however, the government services required would be minor.

J. Industrial and Commercial Activity

The operation of the portable mixing plant would represent only a minor increase in the industrial activity in any given area. No additional industrial or commercial activity would result from the operation of the portable mixing plant.

K. Locally Adopted Environmental Plans and Goals

The Department is unaware of any locally adopted environmental plans or goals at any given site that the portable mixing plant may be operated at under Permit #3189-00. The state standards identified in Permit #3189-00 would govern the proposed sites and the environment surrounding the sites.

L. Cumulative and Secondary Impacts

Overall, the social and economic cumulative and secondary impacts from this project would be minor because the portable mixing plant would originally locate at an existing gravel pit. New businesses would not be drawn to the area and permanent jobs would not be created or lost due to the operation of the portable mixing plant. Because no new employees would be hired due to the operation of the portable mixing plant, there would be no economic impacts from new employees. In addition, any social and economic impacts would be minor and short-lived because of the relatively small size and temporary nature of the operation.

Recommendation: An EIS is not required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: Because this portable mixing plant is a relatively small portable source and must use reasonable precautions to control emissions, it is unlikely there would be any impacts other than minor impacts.

Other groups or agencies contacted or which may have overlapping jurisdiction: Montana Natural Heritage Program, State Historic Preservation Office (Montana Historical Society) and the Industrial and Energy Minerals Bureau.

Individuals or groups contributing to this EA: Department of Environmental Quality Permitting and Compliance Division (Air and Waste Management Bureau and Industrial and Energy Minerals Bureau), Montana Natural Heritage Program and the Montana Historical Society.

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Date: April 26, 2002