

Montana Department of
ENVIRONMENTAL QUALITY

Judy Martz, Governor

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.state.mt.us

August 6, 2002

Jeffrey Stores
HiLine Redi-Mix, L.L.C.
P.O. Box 370
Shelby, MT 59474

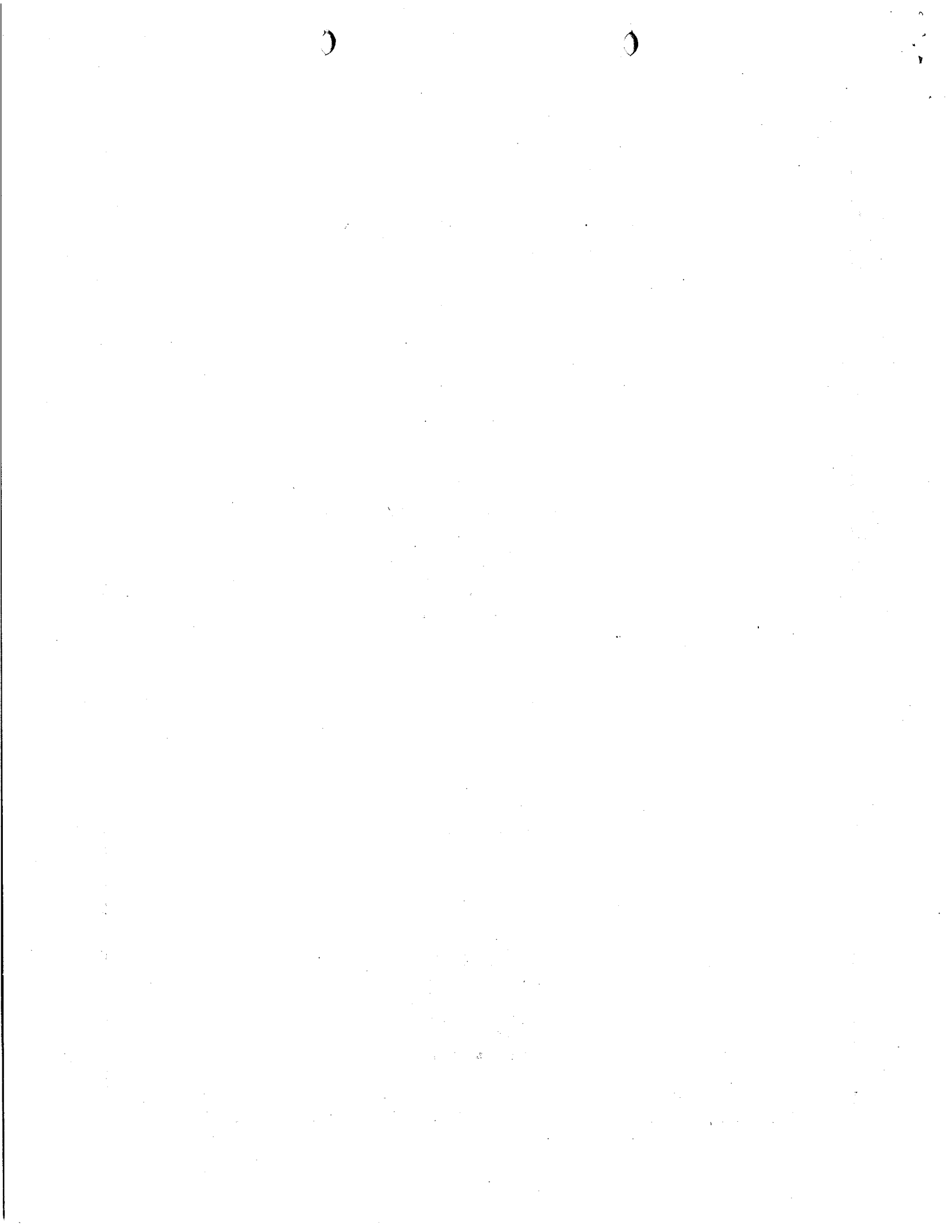
Dear Mr. Stores:

Air Quality Permit #3195-00 is deemed final as of August 3, 2002, by the Department of Environmental Quality (Department). This permit is for the operation of a portable washplant/screening facility. 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



AIR QUALITY PERMIT

Issued To: HiLine Redi-Mix, L.L.C.
P.O. Box 370
Shelby, MT 59474

Permit: #3195-00
Application Complete: 06/14/02
Preliminary Determination Issued: 07/02/02
Department's Decision Issued: 07/18/02
Permit Final: 08/03/02
AFS: #777-3195

An air quality permit, with conditions, is hereby granted to the above-named permittee, hereinafter referred to as "HiLine," pursuant to Sections 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

HiLine operates a portable 1999 FabTec Washplant; a 5'x16' screen; a 36"x25" sand screw; a 2001 homemade feeder w/grizzly; a Tyroc 4'x12' screen; a 2001 homemade pre-wash plant w/ 30"x18" screw; a tandem gen-set (250-kw and 220-kw); a Kolberg 36"x64' stacker; a 90-hp diesel water pump; a Calenco port-a-pug feeder/base mixer, and associated equipment.

B. Original Plant Location

The plant will originally locate approximately 10 miles south of Shelby, Montana. The legal description of the site is the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27 and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 28, Township 31 North, Range 2 West, Toole County, Montana. Permit #3195-00 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. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*

SECTION II. Conditions and Limitations

A. Emission Limitations

1. HiLine shall not cause or authorize to be discharged into the atmosphere from any 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).
2. Water and spray bars shall be available on site at all times and operated as necessary to maintain compliance with the opacity limitations in Section II.A.1 (ARM 17.8.710).
3. HiLine 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).

4. HiLine 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.3 (ARM 17.8.715).
5. If the permitted equipment is used in conjunction with any other equipment owned or operated by HiLine, 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 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 conform to the requirements of 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 this washplant/screening operation 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. HiLine 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 not be 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. HiLine shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.705(l)(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 startup 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(l)(r)(iv) (ARM 17.8.705).

4. HiLine 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 HiLine 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.

SECTION III. General Conditions

- A. Inspection – HiLine shall allow the Departments 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 HiLine fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving HiLine of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided for 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 filing of a request for a hearing postpones the effective date of the Department’s decision until conclusion of the hearing and issuance of a final decision by the Board. The Department’s decision on the application is not final until 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 permitted source.
- G. Permit Fee – Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by HiLine 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 be 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. HiLine shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas that have a Department approved permitting program.

Permit Analysis
HiLine Redi-Mix, L.L.C.
Permit #3195-00

I. Introduction/Process Description

A. Permitted Equipment (New permit)

HiLine Redi-Mix, L.L.C., (HiLine) operates a portable 1999 FabTec Washplant; a 5'x16' screen; a 36"x25" sand screw; a 2001 homemade feeder w/grizzly; a Tyroc 4'x12' screen; a 2001 homemade pre-wash plant w/ 30"x18" screw; a tandem gen-set (250-kw and 220-kw); a Kolberg 36"x64' stacker; a 90 hp diesel water pump; a Calenco port-a-pug feeder/base mixer, and associated equipment.

B. Source Description

HiLine proposes to use the washplant/screening operation for the purpose of preparing sand and gravel materials for sale and use in various construction activities in Montana. The plant will originally locate approximately 10 miles south of Shelby, Montana. The legal description of the site is the SW ¼ of the SW ¼ of Section 27 and the N ½ of the SE ¼ of Section 28, Township 31 North, Range 2 West, Toole County, Montana. Permit #3195-00 applies while operating in any location in Montana, except within those areas that have a Department approved permitting program. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*

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 location 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 emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment, 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).

HiLine 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 that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that 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

HiLine must maintain compliance 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, HiLine 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. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this section.

6. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR 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 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 rule 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. On June 14, 2002, the Department received the appropriate permit application fee from HiLine.
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; 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 that 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 Preconstruction 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--Exclusions. This rule requires a facility to obtain an air quality permit or permit alteration if they construct, alter, or use any air contaminant sources that have the potential to emit more than 25 tons per year of any pollutant. HiLine has the potential to emit greater than 25 tons per year of particulate matter and NO_x; therefore, an air quality 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. HiLine submitted the required permit application.
5. ARM 17.8.707 Waivers. ARM 17.8.706 requires that a permit application be submitted 180 days before construction begins. This section allows the Department to waive this time limit. The Department hereby waives this time limit.

6. ARM 17.8.710 Conditions for Issuance of Permit. This section requires that HiLine 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. HiLine demonstrated compliance with all applicable rules and standards as required for permit issuance.
 7. ARM 17.8.715 Emission Control Requirements. This section requires a source to install 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 analysis.
 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 HiLine 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 for permit. HiLine submitted an affidavit of publication of public notice for the May 23, 2002, issue of the *Shelby Promoter*, a newspaper of general circulation in the Town of Shelby in Toole 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 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 that do not result in an increase of emissions because of those changed conditions. 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 can be transferred from one location to another if written notice 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 Modification--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.

This facility is not a major stationary source since it is not a listed source and the facility's potential to emit is below 250 tons per year of any pollutant (excluding fugitive emissions).

- 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 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 lesser quantity as the Department may establish by rule, or
 - c. Sources with the PTE > 70 tons/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 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 #3195-00 for HiLine, the following conclusions were made.
 - a. The facility's PTE is less than 100 tons/year for any pollutant.
 - b. The facility's PTE is less than 10 tons/year for 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 NSPS.
 - e. This facility is not subject to and 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.

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

III. BACT Determination

A BACT determination is required for each new or altered source. HiLine shall install on the new or altered source the maximum air pollution control capability which is technically practicable and economically feasible, except that BACT shall be utilized.

Visible emissions from all equipment used in this operation are limited to 20% opacity. Also, HiLine must take reasonable precautions to limit the fugitive emissions of airborne particulate matter on haul roads, access roads, parking areas, and general plant property. HiLine shall use water spray bars and/or chemical dust suppressant, as necessary, to maintain compliance with the opacity and reasonable precautions limitations. The Department has determined that using water spray bars and/or chemical dust suppressant to maintain compliance with the opacity requirements and reasonable precautions limitations constitutes BACT for these sources.

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

IV. Emission Inventory

Source	tons/year					
	PM	PM10	NO _x	VOC	CO	SO _x
4'x12' Screen	6.90	3.29	0.00	0.00	0.00	0.00
5'x16' Screen-wet process	6.90	3.29	0.00	0.00	0.00	0.00
* Material Transfer - dry	2.54	1.23	0.00	0.00	0.00	0.00
** Material Transfer - wet	0.51	0.25	0.00	0.00	0.00	0.00
Pile Forming	3.68	1.75	0.00	0.00	0.00	0.00
Bulk Loading	1.84	0.88	0.00	0.00	0.00	0.00
Diesel Generator (250 kw)	3.23	3.23	45.52	3.63	9.81	3.01
Diesel Generator (220 kw)	2.84	2.84	40.06	3.19	8.63	2.65
Diesel Generator (90 hp)	0.87	0.87	12.22	0.97	2.63	0.81
Haul Roads	2.74	1.23	0.00	0.00	0.00	0.00
Total	32.04	18.84	97.80	7.79	21.07	6.47

* Material Transfer (dry) – All processes before the screw/washplant

** Material Transfer (wet) – All processes after the screw/washplant

- A complete emission inventory for Permit #3195-00 is on file with the Department.

V. Air Quality Impacts

Permit #3195-00 would cover the operation of a portable washplant/screening operation to be originally located at the SW ¼ of the SW ¼ of Section 27 and the N ½ of the SE ¼ of Section 28, Township 31 North, Range 2 West, Toole County, Montana. Permit #3195-00 will cover the operation while operating at any location within Montana excluding those areas 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 and short-lived.

VI. Ambient Air Impact Analysis

Because the washplant/screening operation is small by industrial standards and is a temporary portable source, which will not locate in any given area for an extended period of time, the Department determined that the impact from this permitting action will be minor. The Department believes that this operation will not cause or contribute to a violation of any ambient air quality standard in any potential location. If the facility transfers to a location considered noattainment for PM₁₀, HiLine will be required to apply for and receive an addendum to Permit #3195-00, prior to operation at the site.

VII. 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.

VIII. 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: HiLine Redi-Mix, L.L.C.
P.O. Box 370
Shelby, MT 59474

Air Quality Permit number: 3195-00

Preliminary Determination Issued: July 2, 2002

Department Decision Issued: July 18, 2002

Permit Final: August 3, 2002

1. Legal description of Site: The plant will originally locate approximately 10 miles south of Shelby, Montana. The legal description of the site is the SW ¼ of the SW ¼ of Section 27 and the N ½ of the SE ¼ of Section 28, Township 31 North, Range 2 West, Toole County, Montana.
2. Description of Project: HiLine operates a portable 1999 FabTec Washplant; a 5'x16' screen; a 36"x25" sand screw; a 2001 homemade feeder w/grizzly; a Tyroc 4'x12' screen; a 2001 homemade pre-wash plant w/ 30"x18" screw; a tandem gen-set (250-kw and 220-kw); a Kolberg 36"x64' stacker; a 90 hp diesel water pump; a Calenco port-a-pug feeder/base mixer, and associated equipment. Permit #3195-00 applies while operating in any location in Montana, except within those areas that have a Department approved permitting program. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*
3. Objectives of Project: The project would supply business and revenue for the company and washed aggregate to construction projects statewide.
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 HiLine has 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 list of enforceable conditions, including a BACT analysis, is included in Permit #3195-00.
6. Regulatory Effects on Private Property: 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.

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			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 Resource			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 operations occur. Further, the project would result in emissions, which could affect any terrestrial and aquatic resources using the proposed project area. However, because the operations are temporary, seasonal, and relatively small by industrial standards, the operations alone would result in only minor impacts to the terrestrial and aquatic life of the area.

B. Water Quality, Quantity, and Distribution

Emissions from the proposed project could potentially affect any existing resources of water in the proposed project area. However, as described in Section IV of the permit analysis, the source would be required to apply BACT to emissions sources to minimize any potential emissions and thus impact to area water resources. Further, because the facility would be a temporary, seasonal, and a relatively small industrial source, any impacts to water resources in the proposed project area would be minor and short-lived.

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

C. Geology and Soil Quality, Stability, and Moisture

Due to the nature of washplant/screening operations, the proposed facility would impact the soils and geography of the proposed project area. However, the operations would take place within a previously disturbed industrial gravel pit. Because the proposed site exists as a disturbed industrial site and because the proposed operation would be temporary, seasonal, and relatively small by industrial standards, any impacts would be minor and short-lived.

D. Vegetation Cover, Quantity, and Quality

Emissions from the proposed project could potentially affect any existing vegetation resources in the proposed project area. However, as described in Section IV of the permit analysis, the source would be required to apply BACT to emissions sources to minimize any potential emissions thus minimizing impact to area vegetation resources. Further, because the facility would be a temporary, seasonal, and a relatively small industrial source, any impacts to vegetation resources in the proposed project area would be minor and short-lived.

E. Aesthetics

The operations would be visible and would create additional noise in the area. Permit #3195-00 would include conditions to control emissions (including visible emissions) from the plant. In addition, the operations would take place within a previously disturbed industrial gravel pit. Because the site is typically used for industrial purposes, such as that proposed for the current permit action, the proposed operations would be typical and would have only a minor effect on the proposed project area. Further, given that the proposed project would be a temporary, seasonal, and a relatively small industrial operation, any impact would be minor and short-lived.

F. Air Quality

The air quality impacts from the operations would be minor. Permit #3195-00 would include conditions limiting the opacity from the plant as well as requiring water to control air pollution. The operations would be limited by Permit #3195-00 to total particulate emissions of 250 tons/year or less from non-fugitive sources at the plant, in addition to any additional equipment at any individual site.

The Clean Air Act, which was last amended in 1990, requires EPA to set National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment (Criteria Pollutants: CO, NO_x, Ozone, Lead, PM-10, SO_x). The Clean Air Act established two types of NAAQS, Primary and Secondary. Primary Standards set limits to protect public health, including, but not limited to, the health of "sensitive" populations such as asthmatics, children, and the elderly. Secondary Standards set limits to protect public welfare, including, but not limited to, protection against decreased visibility, damage to animals, crops, vegetation, and buildings. Primary and Secondary Standards are identical with the exception of Sulfur Dioxide which has a less stringent Secondary Standard. Permit #3195-00 contains conditions and limitations, which require compliance with all applicable air quality standards.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The current permit action would result in the emission of air pollutants, which could result in minor impacts to any existing unique endangered, fragile, or limited environmental resource in the area. However, given the temporary and portable nature of the operation any impact would be minor and short lived. In addition, the operations would take place within a previously disturbed industrial location further reducing the potential for impact to any existing unique, endangered, fragile or limited environmental resource in the proposed area of operation.

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

As described in Sections 7.B and Section 7.F of this EA, the facility would only demand and affect small quantities of water and air for proper operation. Further, the facility would generate all required operating energy by the use of a permitted diesel gen-set. In addition, because the facility is a temporary, seasonal, and a relatively small industrial source, any demands for environmental resources of water, air, and energy would be minor and short lived.

I. Historical and Archaeological Sites

The proposed facility would locate within a previously disturbed industrial site. According to previous correspondence from 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 a given area. Therefore, the operation would have no adverse effects on any known historic or archaeological site.

J. Cumulative and Secondary Impacts

Overall, cumulative and secondary impacts from this project would result in minor impacts to the physical and biological environment in the immediate area. Air pollution from the facility would be controlled by Department-determined BACT and conditions in Permit #3195-00. The Department believes that this facility could be expected to operate in compliance with all applicable rules and regulations as outlined in Permit #3195-00.

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				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 ECONOMIC AND SOCIAL EFFECTS: The following comments have been prepared by the Department.

A. Social Structures and Mores

The proposed project would not have any effect on social structures and mores of the proposed area of operation. The project is temporary, seasonal, and small by industrial standards and operations would take place in an existing industrial gravel pit. The predominant use of the surrounding area would not change as a result of the proposed project.

B. Cultural Uniqueness and Diversity

The proposed project would not have any effect on cultural uniqueness and diversity of the proposed area of operation. The project is temporary, seasonal, and small by industrial standards and operations would take place in an existing industrial gravel pit. The predominant use of the surrounding area would not change as a result of the proposed project.

C. Local and State Tax Base and Tax Revenue

The proposed project would have a minor affect on the local and state tax base and tax revenue. The project is temporary, seasonal, and small by industrial standards and operations would take place in an existing industrial gravel pit requiring no new jobs or additional new construction. However, the proposed project would result in minor impacts due to profits gained by the company.

D. Agricultural or Industrial Production

Because the proposed project would operate in an existing industrial gravel pit, the project would not affect or displace any land used for agricultural production and would not require any additional industrial construction. Further, no additional industrial production would result from the proposed project.

E. Human Health

The proposed project would result in the emission of air pollutants. However, as detailed in Section 7.F of this EA, HiLine would be required to use BACT and maintain compliance with all ambient air quality standards. These standards are designed to be protective of human health. Any health impacts resulting from the proposed project would be minor.

F. Access to and Quality of Recreational and Wilderness Activities

Because the proposed project would take place within an existing industrial gravel pit, the proposed operations would not affect any access to or aesthetic attribute of recreational and wilderness activities in the proposed area of operation.

G. Quantity and Distribution of Employment

Activities from the proposed operations would not affect the quantity and distribution of employment in the area. HiLine would use a few current company employees for the project.

H. Distribution of Population

The proposed operations would not disrupt the normal population distribution in the area. Because HiLine would use a few current employees for the proposed project and because operations are temporary, seasonal, and small by industrial standards, the operations at the proposed site location would not require immigration or emigration of people to or from the proposed area of operations.

I. Demands of Government Services

Government services would be required for acquiring the appropriate permits from government agencies. In addition, the permitted source of emissions would be subject to periodic inspections by government personnel. Demands for government services would be minor.

J. Industrial and Commercial Activity

The proposed project would not affect local industrial and commercial activity because the proposed project would operate in an existing industrial gravel pit and would not require any additional industrial construction or result in any additional industrial production.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans or goals in the immediate area affected by the proposed project. If the plant moved to an area classified as non-attainment for PM₁₀ the operation would be required to apply for and receive an addendum to Permit #3195-00 prior to operation at the site. The state standards would be protective of the proposed area of operation.

L. Cumulative and Secondary Impacts

Overall, cumulative and secondary impacts from this project would result in minor impacts to the economic and social environment in the immediate area, as described in Section 8.A through Section 8.K of this EA. 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 #3195-00.

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, and EIS is not required. In addition, the source would be applying the Best Available Control Technology and the analyses indicates compliance with all applicable air quality rules and regulations.

Other groups or agencies contacted or which may have overlapping jurisdiction: Department of Environmental Quality - Air and Waste Management Bureau and Industrial and Energy Minerals Bureau.

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

EA prepared by: M. Eric Merchant, MPH

Date: June 13, 2002

