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 15, 2002

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

Dear Mr. Stores:

Air Quality Permit #3205-00 is deemed final as of August 15, 2002, by the Department of Environmental Quality (Department). This permit is for the operation of a portable concrete batch 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 #3205-00

HiLine Redi-Mix, LLC
P.O. Box 370
Shelby, MT 59474

August 15, 2002

AIR QUALITY PERMIT

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

Permit #3205-00
Complete Application Submitted: 06/14/02
Preliminary Determination Issued: 07/12/02
Department Decision Issued: 07/30/02
Permit Final: 08/15/02
AFS #: 777-3205

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

Section I: Permitted Facilities

A. Permitted Equipment: HiLine owns and operates a portable concrete batch plant. A complete list of the permitted equipment can be found in Section I.A. of the permit analysis.

B. Plant Location: Permit #3205-00 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 is required for locations within Missoula County, Montana.* The HiLine facility would initially operate in Section 27 (Lots 25 and 26), Township 32 North, Range 2 West, in Toole County, Montana.

Section II: Limitations and Conditions

A. Emission Control Requirements and Limitations

1. HiLine shall install, operate, and maintain the fabric filter vent on the cement silo (ARM 17.8.710 and ARM 17.8.715):

   a. HiLine shall install, operate, and maintain the fabric filter on the cement silo (ARM 17.8.710 and ARM 17.8.715); and

   b. HiLine shall install, operate, and maintain the particulate containment boot at their concrete batch plant for product loadout (ARM 17.8.710 and ARM 17.8.715).

2. HiLine shall not cause or authorize to be discharged into the atmosphere from the ready mix plant:

   a. Any vent emissions which exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304 and ARM 17.8.715); and

   b. Any fugitive emissions from the source, including, but not limited to, truck loading and unloading operations, or any material transfer operations, which exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.308 and ARM 17.8.715).

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 and ARM 17.8.715).

4. HiLine shall treat all unpaved portions of the haul roads, access roads, parking lots, and the general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation in Section II.A.3. (ARM 17.8.710 and ARM 17.8.715).

5. Total plant production shall be limited to 280,320 cubic yards of concrete during any rolling 12-month time period (ARM 17.8.710).

6. 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 emissions 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. Emissions Monitoring

1. HiLine shall inspect the fabric filter vent on the silo every 6 months of operation to ensure that the collector is operating at the optimum efficiency recommended by the manufacturer. Records of inspections, repairs, and maintenance shall be kept for a minimum of 5 years (ARM 17.8.710).

2. HiLine shall maintain on-site records of inspections, repairs, and maintenance. All 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, 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).

C. 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).

D. Operational Reporting Requirements

1. If this concrete batch 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. HiLine 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 HiLine 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 (ARM17.8.710).

3. 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 is not limited to, all sources 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. HiLine 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 emissions 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).

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

Section III: General Conditions

A. Inspection - HiLine shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS); or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.

B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if the recipient fails to appeal as indicated below.

C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving the permittee of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.701, *et seq.* (ARM 17.8.717).

D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401, *et seq.*, MCA.

E. Appeals - Any person or persons jointly or severally adversely affected by the Department's decision may request, within 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's decision until the conclusion of the hearing and issuance of a final decision by the Board.

F. Permit Inspection - As required by ARM 17.8.716, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.

G. Permit Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, the continuing validity of this permit is conditional upon the payment by the permittee of an annual operation fee, as required by that section and rules adopted thereunder by the Board.

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.

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 conditions contained in this permit while operating in any location in Montana, except within those areas having a Department approved permitting program.

Permit Analysis
HiLine Redi-Mix, LLC
Permit #3205-00

I. Introduction

A. Permitted Equipment

HiLine Redi-Mix, LLC (HiLine) owns and operates a portable ready mix concrete batch plant originally located in Section 27 (Lots 25 and 26), Township 32 North, Range 2 West, in Toole County, Montana. The facility includes a McNielus Concrete Batch Plant (Maximum Capacity 32 yd^3/hour) with a single bin weight hopper, a 24-inch feed conveyor, a 400 barrel McNeilus cement silo with a fabric filter vent, and associated equipment. Particulate emissions from the cement silo are controlled by the fabric filter vent. A particulate containment boot controls particulate emissions from the concrete batch plant during truck loading operations.

The concrete batch plant is an existing facility that currently operates at the proposed location. A change in AP-42 emission factors caused the facility's potential to emit to raise above the 25 ton per year permitting threshold; therefore, HiLine applied for an air quality permit. The use of the proposed area would remain predominantly the same. Power to the facility is provided by the local utility provider.

B. Process Description

For a typical operational setup, stockpiles of sand and gravel for concrete production are stored on site. A loader transfers the sand and gravel from the stockpiles to a weight hopper and the sand and gravel is then conveyed into the batch plant. The cement silo transfers the cement into the batch plant where water is added. The sand, gravel, cement, and water are then loaded into mixing trucks where the materials are mixed together to form concrete. The concrete is then transferred to various construction operations.

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 is a list of applicable definitions used in this subchapter, 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 Montana Clean Air Act, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

HiLine 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. (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 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. (2) 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, Subchapter 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}

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 17.8.310 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.

4. ARM 17.8.340 Standards of Performance for New Stationary Sources. The owner or operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, shall comply with the standards and provisions of 40 CFR Part 60. A NSPS does not currently exist for ready mix concrete batch plants; therefore, the facility is not a 40 CFR Part 60-affected source.

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. HiLine 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, as described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions which 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. An air quality preconstruction permit shall contain 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 an air contaminant source which has the potential to emit more than 25 tons per year of any pollutant. HiLine has the potential to emit more than 25 tons per year of particulate matter and PM_{10}; therefore, a permit is required.

4. 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. HiLine submitted the required permit application for the current permit action.

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 section requires that HiLine 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. 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 this 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 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 in ARM 17.8.701, *et seq.*

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 a permit. HiLine submitted an affidavit of publication of public notice for the June 6, 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 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 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.

13. 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 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 because it is not a listed source and the facility's potential to emit is less than 250 tons per year (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 a lesser quantity as the Department may establish by rule.

   c. Sources with the PTE > 70 tons/year of PM_{10} in a serious PM_{10} non-attainment area.

2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #3205-00 for HiLine, the following conclusions were made:

a. The facility's PTE is less than 100 tons/year for all criteria pollutants.

b. The facility's PTE is less than 10 tons/year of any one HAP and less than 25 tons/year of all HAPs.

c. This source is not located in a serious PM_{10} 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.

g. This source is not an EPA designated Title V source.

HiLine is not subject to the Title V Operating Permit requirements because their potential emissions are less than the Title V threshold. Based on these facts, the Department determined that HiLine will be a minor source of emissions as defined under Tilte V.

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 that is technologically practicable and economically feasible, except that BACT shall be utilized.

All visible emissions from the cement silo (including the filter vent), truck loading or unloading operations, or any material transferring operations shall be limited to less than 20% opacity. HiLine must also take reasonable precautions to limit the fugitive emissions of airborne particulate matter from haul roads, access roads, parking areas, and the general plant property. HiLine shall use a fabric filter dust control system for the cement silo and a particulate containment boot on the load-out spout to maintain compliance with the opacity limitations. The Department determined that a fabric filter dust control system on the cement silo, a particulate containment boot on the load-out spout of the batch plant, water and/or chemical dust suppressant, and reasonable precautions to maintain compliance with the opacity limitations constitutes BACT in this case. 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

	Tons/Year					
Source	PM	PM_{10}	NO_X	VOC	CO	SO_X
Aggregate Delivery to Ground Storage	0.45	0.22				
Sand Delivery to Ground Storage	0.11	0.04				
Aggregate Transfer to Conveyor	0.45	0.22				
Sand Transfer to Conveyor	0.11	0.04				
Cement Unloading to Elevated Silo	0.03	0.02				
Weight Hopper Loading of Sand/Aggregate	0.59	0.28				
Truck Mix Loading of Agg./Sand/ Cement	82.51	20.29				
Haul Roads	2.74	1.23				
Total	86.99	22.34	0.00	0.00	0.00	0.00

- A complete emission inventory for Permit #3205-00 is on file with the Department.

V. Ambient Air Quality Impacts

Permit #3205-00 is issued for a portable ready mix concrete batch plant to initially locate in Section 27 (lots 25 and 26), Township 32 North, Range 2 West, in Toole County, Montana. Permit #3205-00 will cover the operations 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 project will not result in any exceedance of any set ambient standard. In addition, this source is permitted as a portable source and any air quality impacts will be minor.

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

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

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued For: HiLine Redi-Mix, LLC
P.O. Box 370
Shelby, MT 59474

Air Quality Permit Number: 3205-00

Preliminary Determination Issued: 07/12/02
Department Decision Issued: 07/30/02
Permit Final: 08/15/02

1. *Legal Description of Site:* The concrete batch plant would be originally located in Section 27 (lots 25 and 26), Township 32 North, Range 2 West, in Toole County, Montana. However, the concrete batch plant is a portable source and could operate at other locations.

2. *Description of Project:* This permit would allow the operation of a portable concrete batch plant at any location within Montana. In some instances, the concrete batch plant operation may move to a general site location, or open cut pit, which has been previously permitted through the Industrial and Energy Minerals Bureau (IEMB). If this were the case, an EA would have been conducted and would be found in the Mined Land Reclamation Permit for that specific site.

   The concrete batch plant is an existing facility that currently operates at the proposed location. A change in AP-42 emission factors caused the facility's potential to emit to raise above the 25 ton per year permitting threshold; therefore, HiLine applied for an air quality permit. The use of the proposed area would remain predominantly the same.

3. *Objectives of the Project:* This concrete batch plant would be used to supply wet mix concrete to various construction projects. The proposal would increase business and revenue for the company.

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 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, would be contained in Permit #3205-00.

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 would be 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.

Potential Physical and Biological Environment							
		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 and aquatic life would use the areas in which the concrete batch 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 particles and the area, and conditions placed in Permit #3205-00, any impacts from would be minor. Therefore, the concrete batch plant operation would present only minor impacts to the terrestrial life and aquatic life in any given area of operation.

B. Water Quality, Quantity, and Distribution

Although there would be an increase in air emissions in the area where the concrete batch plant would operate, there would be little, if any impacts on water quality, quantity, and distribution because of the relatively small size and temporary nature of the operation. While deposition from air emissions 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, dispersion characteristics of particles and the area, and conditions placed in Permit #3205-00, the impacts on water quality from the air emissions from the concrete batch plant would be minor.

Further, water would be required for making the concrete and for dust suppression. However, as a result of the relatively small size and temporary nature of the operation, any impacts from the operation of the concrete batch plant on water quantity and distribution would be minor. Any accidental spills or leaks from equipment would be required to be handled according to the appropriate environmental regulations in an effort to minimize any potential adverse impact on the immediate and surrounding area. Overall, the concrete batch plant operations would result in only 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 near the plant's operational area due to facility construction, increased vehicle traffic, the use of water to control dust, and deposition of pollutants from concrete batch operations. As explained in Section 7.F. of this EA, the relatively small size and temporary nature of the operation, dispersion characteristics of particles and the area, and conditions placed in Permit #3205-00 would minimize the impacts from deposition.

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 from the concrete batch operation. In addition, particle 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, dispersion characteristics of particles and the area, and conditions placed in Permit #3205-00, any impacts from deposition would be minor. Also, because the water usage would be minimal (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 concrete batch operations would be visible and would create additional noise in the area of operation. Permit #3205-00 would include conditions to control emissions, including visible emissions, from the concrete batch plant. Pollution control devices, including a particulate containment boot and a fabric filter dust collector, would be used to control visible emissions from the plant. Since the concrete batch plant operations are relatively small and temporary, any aesthetic impact to a given area would be minor.

F. Air Quality

Air quality impacts from the concrete batch plant operations would be minor because the concrete batch plant operation is small. Deposition of particles would occur as a result of operating the concrete batch plant; however, the Department determined that any air quality impacts from the deposition of particles would be minor due to dispersion characteristics of particles and the area (wind speed, wind direction, etc.), and conditions placed in Permit #3205-00. Permit #3205-00 would include conditions limiting the opacity from the plant, as well as requiring a fabric filter dust control system on the cement silo and a particulate containment boot on the load-out spout of the batch plant to control air emissions. In addition, Permit #3205-00 would include conditions requiring reasonable precautions be taken to control emissions from haul roads, access roads, parking lots, and the general work area. Further, Permit #3205-00 would also limit total emissions from the concrete batch plant and any additional equipment operated at the same site to 250 tons per year or less. Furthermore, the Department determined that the concrete batch plant would be a minor source of emissions as defined under the Title V Operating Permit Program because the facility's potential emissions would be below 100 tons/year for any pollutant generated.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department contacted the Montana Natural Heritage Program, National Resource Information System (NRIS) in an effort to identify any species of special concern associated with the proposed location. NRIS did not find any species of special concern in their database for the proposed location. However, due to the relatively small size and temporary nature of the concrete batch plant, any potential impacts to unique endangered, fragile, or limited environmental resources would be minor.

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

The concrete batch plant operations would require only small quantities of water, air, and energy for proper operation due to the relatively small size of the facility. Small amounts of water would be used as part of the concrete mixture and for dust control on the surrounding roadways and the associated job site. In addition, as described in Section 7.F. of this EA, air emissions generated from the facility would have minor impacts on air quality in the immediate and surrounding area. Further, energy would be required to operate the facility. However, the operation of the concrete batch plant is seasonal. Seasonal operations would result in less energy demands to operate the concrete batch plant. Due to the relatively small size and seasonal operation of the concrete batch plant, the demand on energy to operate the facility would be minor. Overall, 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 concrete batch plant to originally operate, the Department contacted the Montana Historical Society, State Historic Preservation Office (SHPO). SHPO indicated that there have been a few previously recorded historic sites within the search locale and that there have been a few cultural resource inventories done in the area. However, SHPO indicated that because the concrete batch plant is an existing facility and no new ground disturbance is expected, it is not likely that cultural properties would be impacted.

If portable concrete batch plants move to new locations, they typically move within a previously disturbed industrial location such as an open cut pit. Previous correspondence from SHPO indicates that there is low likelihood of disturbance to any known archaeological or historic sites given any previous industrial disturbance in the area. Therefore, it is unlikely that the concrete batch operation would have an effect on any known historic or archaeological site at any future location.

J. Cumulative and Secondary Impacts

The concrete batch plant would cause minor effects to the physical and biological environment because the facility would generate relatively small amounts of particulate matter and PM_{10}. Noise impacts would be minor due to the relatively small size of the operation. Impacts from noise would be seasonal and possibly temporary because the concrete batch plant is permitted as a portable source and would have the potential to move to other locations. Air pollution would be controlled by the limitations established in Permit #3205-00.

In addition, there is potential for other operations to locate at the same sites. However, any operations 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 site. The concrete batch plant would be limited by Permit #3205-00 to total emissions of 250 tons per year or less from non-fugitive emissions sources 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 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 SOCIAL AND ECONOMIC EFFECTS: The following comments have been prepared by the Department.

A. Social Structures and Mores

The concrete batch operation would cause no disruption to native or traditional lifestyles or communities (Social Structures and Mores) of the proposed site because of the relatively small size and temporary nature of the concrete batch plant. The concrete batch plant is an existing facility that currently operates at the proposed location so this type of activity is not new to the proposed area. In addition, it would be unlikely that the concrete batch plant would have an impact on Social Structures and Mores of any future area of operation because the facility would likely be operated in a previously disturbed industrial area typically used for such operations. Therefore, such operations would have no impacts to the Social Structures and Mores of any future site.

B. Cultural Uniqueness and Diversity

The concrete batch plant would not impact the cultural uniqueness and diversity of the proposed area because of the relatively small size and temporary nature of the concrete batch plant. The concrete batch plant is an existing facility that currently operates at the proposed location so this type of activity is not new to the proposed area. In addition, it would be unlikely that the concrete batch plant would have an impact on the cultural uniqueness and diversity of any future area of operation because the facility would likely be operated in a previously disturbed industrial area typically used for such operations. Therefore, such operations would have no impacts to the cultural uniqueness and diversity of any future site.

C. Local and State Tax Base and Tax Revenue

The proposed concrete batch plant would have little, if any effects on local and state tax base and tax revenue because the facility would be a relatively small and seasonal source. Further, no additional full time or permanent employees are expected to be added as a result of issuing Permit #3205-00 and any revenue created by the concrete batch plant in any future area would be for a relatively short time period.

D. Agricultural or Industrial Production

Under normal circumstances, the concrete batch operations would take place in a previously disturbed industrial area. Therefore, the Department does not expect that the permitted operation would affect or displace any agricultural land or production. Further, the concrete batch operations are small by industrial standards and would, therefore, have only a minor impact on any local industrial production.

E. Human Health

Permit #3205-00 would incorporate conditions to ensure that the concrete batch plant would be operated in compliance with all applicable rules and regulations. These rules and regulations 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 of air emissions and conditions placed in Permit #3205-00. Pollution controls and opacity limitations on the concrete batch plant, associated equipment, and the surrounding operational area would minimize the air emissions from this facility. Therefore, any impacts to human health would be minor.

F. Access to and Quality of Recreational and Wilderness Activities

The concrete batch operations would not affect any access to recreational and wilderness activities because the facility would typically be operting in an existing industrial pit. However, minor effects on the quality of recreational activities might be created by noise from equipment operations. Any impacts from the site would be temporary, due to the portable and seasonal nature of the concrete batch plant.

G. Quantity and Distribution of Employment

Given the relatively small size and temporary nature of the operation, the quantity and distribution of employment in any given area would not be affected. No full time, permanent employees would be expected to be hired or discharged as a result of issuing Permit #3205-00.

H. Distribution of Population

Given the relatively small size and temporary nature of the operation, it is not expected that the activities from the concrete batch plant would disrupt the normal population distribution of any given area. The operation of the concrete batch plant would not be expected to create new employment opportunities with HiLine or with surrounding businesses.

I. Demands of Government Services

Government services would be required for acquiring the appropriate permits and ensuring compliance with the permit that would be issued. However, the government services required for this permit would be minor. There could be an increase in vehicle traffic resulting from the operation of the concrete batch plant. However, any demands on government services to regulate the traffic would be minor due to the relatively small size and temporary nature of the operation. In addition, it would be unlikely that the concrete batch plant would have an impact on demands of government services of any future area of operation because the facility would likely be operated in a previously disturbed industrial area typically used for such operations. Therefore, such operations would have only minor impacts to the demands on government services of any future site. Overall, the demand of government services would be minor.

J. Industrial and Commercial Activity

The concrete batch plant would represent only a minor increase in the industrial activity in any given area due to the relatively small size of the operation. No additional industrial or commercial activity would result solely from the concrete batch plant operations, but some of the product may be supplied to industrial and commercial sources. Any impacts to industrial and commercial activities of any given area would be minor due to the relatively small size and seasonal nature of the operation.

K. Locally Adopted Environmental Plans and Goals

The Department is unaware of any locally adopted environmental plans or goals at the proposed site for the facility. The state standards identified in Permit #3205-00 would govern the proposed site and the environment surrounding the site; therefore, there would not be any impacts expected on locally adopted environmental plans and goals.

L. Cumulative and Secondary Impacts

Overall, the social and economic cumulative and secondary impacts from this project would be minor because new businesses would not be drawn to the area and permanent jobs would not be created or lost due to the operation of the concrete batch plant. Because no new employees would be hired due to the operation of the concrete batch 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 concrete batch plant is a relatively small portable source and must use pollution controls and reasonable precautions to control emissions, it is unlikely there would by any impacts other than minor impacts.

Other groups or agencies contacted or which may have overlapping jurisdiction: Montana Historical Society, State Historic Preservation Office (SHPO), Montana Natural Heritage Program, National Resource Information System (NRIS), and the Department of Environmental Quality, 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), SHPO, and NRIS

EA prepared by: Dave Aguirre
Date: July 10, 2002