

# **MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY**

Waste Management and Remediation Division  
Waste and Underground Tank Management Bureau  
Solid Waste Section  
PO Box 200901  
Helena, MT 59620-0901

## **ENVIRONMENTAL ASSESSMENT**

### **PROJECT OR APPLICATION:**

C.F. Auto Parts, a Montana firm, has proposed a second yard for their private motor vehicle wrecking facility (MVWF) in Missoula County.

### **SOLID WASTE SECTION ROLES AND RESPONSIBILITIES:**

The Department of Environmental Quality (DEQ) is responsible for ensuring activities proposed under the Solid Waste Management Act, the Septage Disposal Licensure Act, and the Motor Vehicle Disposal & Recycling Act are in compliance with current regulations. The Solid Waste Section (SWS) is a part of the Waste and Underground Tank Management Bureau, in the Waste Management and Remediation Division of the DEQ. The Motor Vehicle Recycling & Disposal Act 75-10-501, MCA) and the Administrative Rules of Montana (ARM), Title 17, Chapter 50, Section 201 provides the authority for the Motor Vehicle Recycling & Disposal Program (MVRDP) to license and regulate motor vehicle wrecking facilities in the state of Montana.

### **SECTION 1.0 – PROJECT DESCRIPTION:**

Mr. Fedor Chinikaylo (applicant), doing business as C.F. Auto Parts, submitted a license application to DEQ's SWS for the licensure of a MVWF in Missoula County. The proposed location is the parcel described as Lot D, of Lot 5, of the Deschamps Lane Subdivision #2, Missoula, Montana. The legal description of the facility is the SW ¼ of the SW ¼ of Section 28, Township 14 North, Range 20 West. At the present time, the property is owned by Mr. Joseph Fraser and is currently an empty lot. Mr. Chinikaylo has applied to license 2 acres of the property for use as a MVWF.

### **Purpose of the Environmental Assessment (EA):**

In accordance with 75-1-102, MCA, the Montana Environmental Policy Act (MEPA) is procedural, and requires the "adequate review of state actions in order to ensure that environmental attributes are fully considered by the legislature in enacting laws to fulfill constitutional obligations; and the public is informed of the anticipated impacts in Montana of potential state actions." According to MEPA, EAs are the procedural documents that communicate the process agencies follow in their decision-making. An EA does not result in a certain decision, but rather serves to identify the potential effect of a state action within the confines of existing laws and rules governing such proposed activities so that agencies make balanced decisions. The MEPA process does not provide regulatory authority beyond the authority explicitly provided in existing statute.

The Motor Vehicle Recycling & Disposal Act, and associated administrative rules, establish the minimum requirements for the design and operation of MVWFs. The EA is the mechanism that DEQ uses to:

- (1) Disclose whether a proposed site meets the minimum requirements for compliance with the current laws and rules;
- (2) Assist the public in understanding state MVWF regulations as they pertain to licensing MVWFs;

- (3) Identify and discuss the potential environmental effects of the proposed site, if it is approved and becomes operational;
- (4) Discuss actions taken by the applicant, and the enforceable measures and conditions designed to mitigate the effects identified by DEQ during the review of the application; and
- (5) Seek public input to ensure DEQ has identified the substantive environmental impacts associated with the proposed MVWF.

Purpose of Proposal:

By obtaining a MVWF license, the applicant is allowed to:

- (1) Buy, sell, or deal in four or more vehicles per year of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle;
- (2) Buy or sell component parts, in whole or in part, and deal in second-hand junk vehicles;
- (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed MVWF;
- (4) This business will provide a commercial source of automotive parts at a cost savings to the consumer; and
- (5) This business will also recycle all the ferrous and non-ferrous metals of the dismantled vehicles that were not sold to the general public. Recycling metals will conserve energy and natural resources otherwise used to manufacture new automotive parts.

Benefits of Proposal:

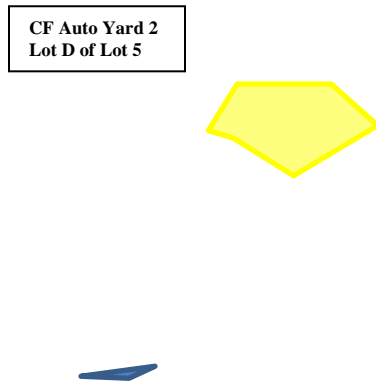
By obtaining a MVWF license, the applicant will be allowed to:

- (1) Purchase junk vehicles from the general public and insurance companies, which will contribute to the overall cleanliness of the community in which the facility is located;
- (2) The facility will be required by statute to shield the junk vehicles from public view;
- (3) The facility will be required to handle all automotive waste in an environmentally safe manner; and
- (4) This service will conserve energy and natural resources otherwise used to manufacture new parts.

Site Location:

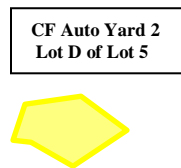
The proposed MVWF will be in Missoula County. This facility will be located at the the parcel described as Lot D, of Lot 5, of the Deschamps Lane Subdivision #2, Missoula, Montana. The legal description of the facility is that part of Lot D of Lot 5 of SW ¼ of the SW ¼ of Section 28, Township 14 North, Range 20 West in Missoula, Missoula County, Montana (**Figures 1.1 and 1.2**). Mr. Chinikaylo has applied to license 2 acres of the property for use as a MVWF.

**Figure 1.1 – Location of Proposed Site: Aerial View**



Source: Google Earth

**Figure 1.2 – Location of Proposed Site: Topographic View**



Source: Montana Cadastral

## SECTION 2.0 – ALTERNATIVES CONSIDERED

The following provides a description of reasonable alternatives whenever they are available and prudent to consider:

**Alternative A:** The “no action” alternative. If this alternative is selected, a final decision by DEQ will not be required because the applicant will have chosen to withdraw the application for licensure of the MVWF. By withdrawing the application from consideration by DEQ, the applicant can still seek an alternative site for the proposal.

DEQ has not received a request by the applicant to withdraw the application for licensure. Therefore, prior to DEQ’s final decision, two other possible alternatives were considered during the preparation of this EA.

**Alternative B:** The “license application denied” alternative. If this alternative is selected, DEQ will deny the MVWF application because the application failed to meet the minimum requirements of the Motor Vehicle Recycling & Disposal Act, and could not be processed as submitted. If denied, the applicant has the option to modify the application for the current site and reapply for licensure, or could locate, investigate, and apply for licensure of another site.

**Alternative C:** The “license application approved” alternative. If this alternative is selected, DEQ will approve the application and issue a new license, establishing the site as a MVWF facility.

A decision by DEQ is prompted when the applicant completes the application for licensure of the proposed activity at the proposed location. However, the applicants may at any time choose to withdraw the application. This would result in DEQ selecting the “no action” alternative, because a DEQ’s decision would not be necessary. If the applicant withdraws the application, the applicant could seek to locate a similar facility elsewhere.

In consideration of these alternatives, the potential environmental effects of alternative C were evaluated for the proposed project based on the information provided. DEQ researched the site and surrounding area, including a site visit. The results of DEQ’s evaluation of potential environmental impacts related to the proposed facility are summarized in Section 3.0.

## SECTION 3.0 – EVALUATION OF POTENTIAL EFFECTS

**Tables 3.1** and **3.2** in this section identify and evaluate the potential effects that may occur to human health and the environment if the site for the MVWF is approved. The discussion of the potential impacts only includes those resources that may be affected. If there is no effect on a resource, it may not be mentioned in the analysis.

Direct and indirect impacts are those that occur in or near the proposed project area and may extend over time. Often, the distinction between direct and indirect effects is difficult to define, and for the purposes of this discussion, direct and indirect impacts are combined.

**TABLE 3.1 – IMPACTS TO THE PHYSICAL ENVIRONMENT**

Physical Environment	Major	Moderate	Minor	None	Unknown	Attached
1. Terrestrial and Aquatic Life and Habitats			✓			✓
2. Water Quality, Quantity, and Distribution			✓			✓
3. Geology and Soil Quality, Stability, and Moisture			✓			✓
4. Vegetation Cover, Quantity, and Quality			✓			✓
5. Aesthetics			✓			✓
6. Air Quality			✓			✓
7. Unique, Endangered, Fragile, or Limited Environmental Resources				✓		✓
8. Historical and Archaeological Sites				✓		✓
9. Demands on Environmental Resources on Land, Water, Air, or Energy				✓		

**TABLE 3.2 – IMPACTS TO THE HUMAN ENVIRONMENT**

Human Environment	Major	Moderate	Minor	None	Unknown	Attached
1. Social Structures & Mores				✓		
2. Cultural Uniqueness & Diversity				✓		
3. Density & Distribution of Population & Housing				✓		
4. Human Health & Safety				✓		
5. Quantity & Distribution of Employment			✓			✓
6. Local & State Tax Base Revenues			✓			✓
7. Demand for Government Services			✓			✓
8. Industrial, Commercial, & Agricultural Activities & Production			✓			✓
9. Access to & Quality of Recreational & Wilderness Activities				✓		
10. Locally Adopted Environmental Plans & Goals				✓		✓

## ANALYSIS OF TABLE 3.1 – POTENTIAL IMPACTS TO THE PHYSICAL ENVIRONMENT

*This section evaluates the potential environmental effects that may occur on the physical environment if the proposed facility is approved. The number on each of the following resource headings corresponds to a resource listed in the tables. Generally, only those resources potentially affected by the proposal are discussed. Therefore, if there is no effect on a resource, it may not be discussed.*

### 1. Terrestrial & Aquatic Life Habitats

The proposed wrecking facility is surrounded by industrial, commercial, and residential areas. The impacts caused by the creation of the wrecking facility should not be significant to the area's ecosystem since the applicant is already operating a MVWF on the property. There will be minor to no impact on the wildlife, birds, or fish in this area as it is already developed with industrial and commercial facilities.

### 2. Water Quality, Quantity, and Distribution

Several properties in this area have wells. The static ground water level in the vicinity of the site varies from 59 to 147 feet below ground surface. This proposed MVWF is not expected to have any impacts on the quality, quantity, or distribution of the ground water because of the planned management practices. These practices will include the removal of the automotive fluids over an impermeable pad before the junk vehicles are processed. These auto fluids will be reused or properly recycled.

**Table 3.3 – Summary of nearby supply wells**

Gwic Id	Township	Range	Section	Quarter Section	Type	Total Depth	Static Water Level	Yield (gpm)	Use
163016	14N	20W	28	NE ¼ SW ¼	WELL	160	112	7	DOMESTIC
176870	14N	20W	28	NW ¼ NE ¼ SW ¼	WELL	121	105	20	DOMESTIC
71091	14N	20W	28	SW ¼	WELL	200	89	15	DOMESTIC
234122	14N	20W	28	NW ¼ SW ¼	WELL	600	120	40	DOMESTIC
71092	14N	20W	28	SE ¼ SW ¼	WELL	76.5	59	18	DOMESTIC
230589	14N	20W	28	SW ¼ SW ¼	WELL	212	134	30	DOMESTIC
276911	14N	20W	28	SW ¼ NW ¼	WELL	540	140	25	DOMESTIC
146131	14N	20W	33	NW ¼ NW ¼	WELL	300	73	25	DOMESTIC
133931	14N	20W	29	NE ¼ SE ¼ SE ¼ SE ¼	WELL	210	95	20	DOMESTIC
261821	14N	20W	29	SE ¼ SE ¼	WELL	320	121	30	DOMESTIC
71110	14N	20W	29	NE ¼ SE ¼	WELL	108.5	68.5	15	DOMESTIC
182198	14N	20W	32	NE ¼ NE ¼	WELL	250	65	12	DOMESTIC
71116	14N	20W	29	SE ¼ SE ¼ SE ¼	WELL	165	70	40	DOMESTIC
182198	14N	20W	32	NE ¼ NE ¼	WELL	250	65	12	DOMESTIC
120506	14N	20W	33	NW ¼	WELL	160	67	20	DOMESTIC
71166	14N	20W	33	NW ¼	WELL	120	60	20	DOMESTIC
246531	14N	20W	33	NW ¼ NE ¼	WELL	160	78	100	DOMESTIC
158545	14N	20W	28	SW ¼ SE ¼	WELL	240	122	6	DOMESTIC
126256	14N	20W	33	NE ¼ NW ¼ NE ¼	WELL	109	65	12	DOMESTIC
294095	14N	20W	33	NW ¼ NE ¼	WELL	136	76	30	DOMESTIC
167421	14N	20W	28	NW ¼ SE ¼	WELL	390	NA	20	DOMESTIC

71100	14N	20W	28	NW ¼ NW ¼ SE ¼ SE ¼	WELL	632	71	18	DOMESTIC
71093	14N	20W	28	SE ¼	WELL	372	102	40	DOMESTIC
71076	14N	20W	28	NE ¼ SE ¼ NW ¼ SE ¼	WELL	120	85	15	DOMESTIC
71098	14N	20W	28	NW ¼ SE ¼ NE ¼ NW ¼ SE ¼	WELL	170	110	20	DOMESTIC
123643	14N	20W	28	NA	WELL	200	147	25	DOMESTIC

Source: Montana Bureau of Mines and Geology Ground Water Information Center

### 3. Geology and Soil Quality, Stability, and Moisture

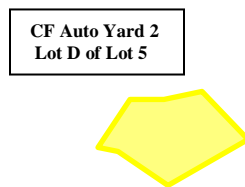
The soils in the vicinity of the site are classified by the U.S. Natural Resource Conservation Service as Grassvalley silty clay loams. These soils are well drained, 0 to 8 percent slope, and the water table begins at a depth of 80 inches. Waste anti-freeze, gasoline, and lubricating oils contain petroleum distillates, heavy metals, and possibly toxic compounds. If improperly disposed, these can cause surface and groundwater degradation. The applicant proposes to properly reuse or recycle all of the above-named automotive fluids. Some residual lubricating oils and antifreeze may drip from the vehicles stored at the facility. This residual dripping is not expected to be significant, or result in heavy soil accumulations, because the junk vehicles will have the fluids removed over an impermeable pad.

**Table 3.3 – Summary of Soil Properties**

Soil Type	Map Key	Depth profile	Drainage	Permeability
Grassvalley silty clay loam 0 to 4 percent slopes	45; 4wcc	Ap - 0 to 9 inches: silty clay loam Bt - 9 to 21 inches: clay Btk - 21 to 28 inches: clay C - 28 to 60 inches: clay	Well Drained	Very low to moderately low
Grassvalley silty clay loam 4 to 8 percent slopes	46; 4wcd	Ap – 0 to 9 inches; silty clay loam Bt – 9 to 21 inches; clay Btk – 21 to 28 inches; clay C – 28 to 60 inches; clay	Well Drained	Very low to moderately low

Source: USDA-NRCS, Web Soil Survey, Missoula County, Montana

**Figure 3.1 – Summary of Soil Properties Map**



*Source: USDA-NRCS, Web Soil Survey, Missoula County, Montana*

**4. Vegetation Cover, Quantity, and Quality**

The proposed facility is in Missoula, Montana. This wrecking facility is surrounded by residential, industrial, commercial, and agricultural areas. The impacts caused by the establishment of the wrecking facility should not be significant to the area's ecosystem since there are currently several other MVWF's in the area. There will be minor to no impact to the quality and/or quantity of the the vegetative cover on the property, since the facility is already being used to store automobiles.

**5. Aesthetics**

The MVRDP is mandated by statute to require all MVWFs to shield their junk vehicles from public view. "Public view" is defined as any point six feet above the surface of the center of a public road from which the junk vehicles can be seen. The applicant must meet state shielding requirements, as outlined in ARM 17.50.202, prior to licensure.

**6. Air Quality**

Automotive fluids and refrigerant will be properly removed from the junk vehicles and disposed of in accordance with all applicable regulations; therefore, the impact to air quality is expected to be minimal.



## 7. Unique, Endangered, Fragile, or Limited Environmental Resources

The following species of concern are present within Missoula County:

Species	Common name	Habitat
Carex scoparia	Pointed Broom Sedge	Wetland/Riparian
Gulo gulo	Wolverine	Boreal forest & alpine
Pekania pennati	Fisher	Mixed conifer forests
Dryocopus pileatus	Pleated Woodpecker	Moist conifer forests
Falco peregrinus	Peregrine Falcon	Cliffs/Canyons
Haemorhous cassinii	Cassin's Finch	Drier conifer forests
Oncorhynchus clarkii lewisi	Westslope Cutthroat Trout	Mountain streams, rivers, lakes
Soyedina potteri	Norther Rocky Mountains Refugium Stonefly	Small forested mountain streams
Zapada cordillera	Cordilleran Forestfly	Alpine/Mountain streams

Source: Montana Natural Heritage Program SOC Report

The proposed site is in a prairie/grassland habitat. The soil has been recently disturbed, and the area is covered with native and nonnative grasses, and flowering plants. None of the species of concern listed in the area are found in this habitat. In addition, it is not within nor near a designated sage grouse habitat or BLM Priority area.

## 8. Historical and Archaeological Sites

All applicants are required to contact the State Historic Preservation Office (SHPO) in order to determine whether the activities at the site will interfere with any historical site at or near the property. Based on the information gathered from the SHPO, it was concluded that the proposed facility would not impact cultural resources in the area.

## ANALYSIS OF TABLE 3.2 – POTENTIAL IMPACTS ON HUMAN ENVIRONMENT

*This section evaluates the potential environmental effects that may occur on the human environment if the proposed facility is approved. The number on each of the following resource headings corresponds to a resource listed in the tables. Generally, only those resources potentially affected by the proposal are discussed. Therefore, if there is no effect on a resource, it may not be discussed.*

## 5. Quantity and Distribution of Employment

Existing employees would be utilized for this operation. There is low potential that this project would create a significant number of new jobs.

## 6. Local & State Tax Base & Tax Revenue

The establishment of a MVWF at the proposed location will provide a source of used motor vehicles or component parts for sale to the public. The issuance of a MVWF license will allow the applicant to:

- (1) Buy, sell, or deal in four or more vehicles per year of a type required to be licensed for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle;

- (2) Buy or sell component parts, in whole or in part, and deal in second-hand motor vehicle parts; and
- (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed motor vehicle wrecking yards.

The operation of a MVWF may create an additional labor requirement and may result in additional employment. This employment, and the employment requirements for the support services of this MVWF, may provide a neutral to positive employment impact for the community.

**7. Demands for Government Services**

The potential impacts of the proposed expanded facility's licensure is expected to be minor. The MVRDP provides grants to fund individual counties to run the Junk Vehicle Program. The intent of this program is to remove unwanted vehicles free of charge, and to regulate activities at licensed MVWFs. Counties are required to inspect MVWFs for compliance at least annually with all applicable rules. The Missoula City-County Health Department, and DEQ's SWS will perform routine inspections and provide compliance assistance while the facility is operational. Road maintenance and emergency services are already in place for industrial operations in that area.

**8. Industrial, Commercial, & Agricultural Activities & Production**

The proposed MVWF site is within an area zoned for light industrial and commercial use. There are several other licensed MVWFs surrounding this site, as well as other industrial and commercial enterprises. The site would be a second yard for CF Auto Parts, which operates within view of the proposed site. There should not be a change in the activities and production of the local area.

**10. Locally Adopted Environmental Plans and Goals**

The site selection is not the MVRDP's responsibility, but rather the applicant's. The establishment of a MVWF at this location does not conflict with any existing zoning ordinances, as certified by Casey Drayton, Planner with Missoula County Community and Planning. Currently, Lot 5 is zoned as C-11, light industrial and commercial.

## **SECTION 4.0 – CONCLUSIONS AND RECOMMENDATIONS**

### **A listing and appropriate evaluation of mitigation, stipulations, and other controls enforceable by the agency or another government agency:**

MVWFs typically generate hazardous wastes through the variety of services they offer. Used batteries, antifreeze, mercury switches, oil, solvents, and other waste fluids are just a few examples of wastes that need to be handled and managed properly. Management of hazardous waste is regulated by the federal Resource Conservation and Recovery Act (RCRA), which is administered by DEQ. The types and number of requirements that must be complied with are based on the quantity and type of waste generated.

Automotive fluids **must** be drained from the vehicles prior to dismantling. All fluids removed from the vehicles must be captured over an impermeable surface, properly containerized, and properly stored for reuse, recycling, or proper disposal. This is a management method intended to alleviate the potential for ground water contamination. This is a license condition enforceable by DEQ.

MVWFs that generate waste tires are required to store, transport, and dispose of the tires properly. This is a license condition enforceable by DEQ.

Under the federal Clean Air Act (42 U.S.C. § 7401), it is illegal to vent any ozone depleting substance or its substitute. Refrigerants must be recovered into a registered recovery device. This is a federally enforceable requirement administered by the U.S. Environmental Protection Agency (EPA).

### **Recommendation:**

DEQ recommends distributing the EA to adjacent landowners and interested persons to satisfy the public notification and participation requirements of MEPA.

### **Findings:**

DEQ has made the preliminary determination that the applicant is in compliance with the existing zoning ordinances (as of the date of the submittal of the application), and can effectively shield the proposed facility from all public roads in the area. The proposed MVWF will have minor impacts on the surrounding area.

### **Necessity of an EIS:**

DEQ finds that an environmental impact statement (EIS) is not needed due to the mitigating factors provided by the solid waste rules and the applicant's proposal for licensure of the C.F. Auto Parts MVWF at the selected location. Consequently, these factors will ensure to a reasonable extent that any potential, direct, or cumulative impacts to human health and the environment from the proposed MVWF are minor.

### **If an EIS is not required, explain why the EA is an appropriate level of analysis:**

Based on the information submitted for review with the license application, it is clear that the facility will handle all automotive fluids as required by law, will shield the facility as required by law, and will meet all Missoula County zoning ordinances. Therefore, an EA is the appropriate document to address the potential minor impacts of the proposed licensure of the C.F. Auto Parts MVWF.

**Other groups or agencies contacted or which may have overlapping jurisdiction:**

Missoula County Commisioners

**Individuals or groups contributing to this EA:**

Montana Department of Natural Resources and Conservation

Natural Resource Conservation Service

Montana Historical Society

State Historic Preservation Office

U.S. Geological Survey

Montana Bureau of Mines and Geology

U.S. Department of Agriculture - Natural Resource Conservation Service

**EA prepared by:** Dianna Robinson – Montana DEQ, Solid Waste Section

**Date:** June 15, 2018