DEQ
Montana Department of Environmental Quality

October 7, 2016

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Ladies and Gentlemen:

To comply with the Administrative Rules of Montana (ARM), specifically ARM 17.4.609, the Department of Environmental Quality (DEQ) has prepared the enclosed Environmental Assessment (EA) concerning Snow's Cycles, a motor vehicle wrecking facility.

The purpose of this EA is to inform all interested governmental agencies, public groups, and individuals of the proposed action and to determine whether or not the action may have a significant effect on human health and the environment. The public has until close of business on November 7, 2016 to submit written comments concerning the proposal. DEQ will not make a licensing decision until at least 30-days after publication of the EA.

If you wish to comment on this proposed action within the 30-day public comment period, please do so in writing, by mailing, your comments to the Waste and Underground Tank Management Bureau, Motor Vehicle Recycling & Disposal Program, P.O. Box 200901, Helena, MT 59620-0901 or by email to mailbox *WUTBComments@mt.gov*.

If you have any questions or need additional information, please contact me at the Waste Management and Remediation Division, Waste and Underground Tank Management Bureau, Motor Vehicle Recycling & Disposal Program.

Sincerely,

Brady Christensen

Brady Christensen, CHMM
Motor Vehicle Recycling & Disposal Program
(406) 444-3048 or email at bchristensen@mt.gov

Enc: Environmental Assessment

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:

Hanser's Salvage Co., a Montana firm, has proposed an expansion of an extising private Motor Vehicle Wrecking facility in Yellowstone 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 DEQ's Waste Management and Remediation Division, Waste and Underground Tank Management Bureau. The Motor Vehicle Recycling & Disposal Act (75-10-501, MCA) and the Administrative Rules of Montana (ARM), Title 17, Chapter 50, Section 201 provide the necessary authority for the MVRDP to license and regulate motor vehicle wrecking facilities (MVWF) in the state of Montana.

SECTION 1.0 – PROJECT DESCRIPTION:

Hanser's Properties Limited Partnership (applicant), doing business as Hanser's Salvage Co., submitted a license expansion application to DEQ's SWS for a MVWF in Yellowstone County. The proposed location is at 430 S. Billings Blvd., Billings, Montana. At the present time, the property is owned by Hanser's Properties Limited Partnership and is being used to operate a licensed MVWF. Hansers's Salvage Co. is requesting to expand their license boundary by approxiametly 2 acres.

Purpose of the Environmental Assessment:

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, environmental assessments (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 MVWF's. 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 the state MVWF regulations as they pertain to licensing MVWF; 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 landfill.

Purpose of Proposal:

By keeping a motor vehicle wrecking facility 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 motor vehicle wrecking facilities. This business will provide a commercial source of automotive parts at a cost savings to the consumer, and (4) 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:

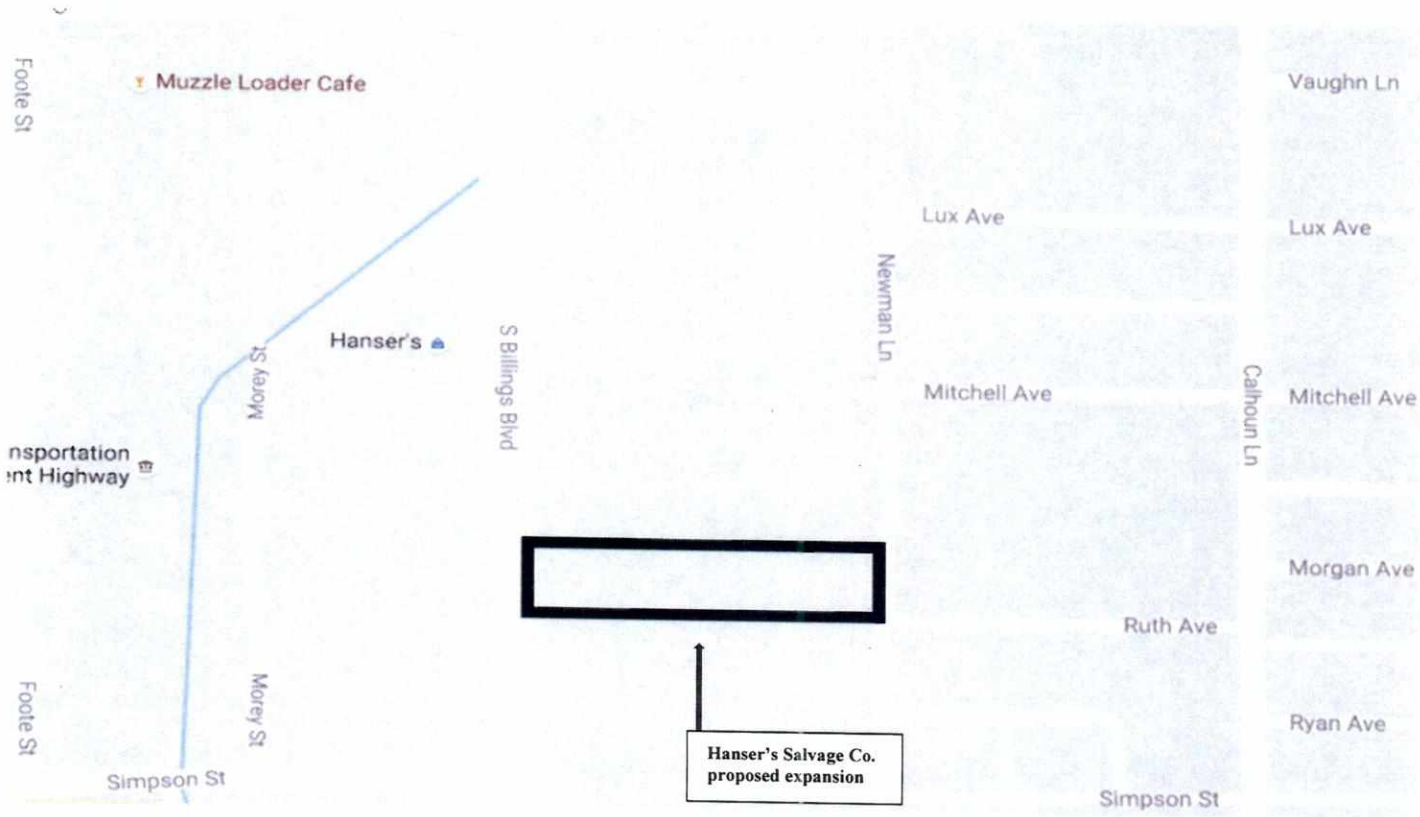
By expanding their existing license boundary by an additional 2 acres, the applicant will benefit by having a larger operational area in which to do business. The applicant will continue to be allowed to: (1) Purchase junk vehicles from the general public and insurance companies which will contribute to the overall cleanliness of the community in which it 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 motor vehicle wrecking facility will be in Yellowstone County. This facility will be located at 430 S. Billings Blvd., Billings, Montana. The legal description of the facility is that part of Lot 5 of the SW ¼, of Section 9, Township 1 South, Range 26 East of the Principal Montana Meridian, in the City of Billings, Yellowstone County, Montana. Reference Figures 1.1 and 1.2.

Figure 1.1: Location of Proposed Site

Figure 1.2: Location of Proposed Site



SECTION 2.0 – ALTERNATIVES CONSIDERED:

The following provides a description of reasonable alternatives whenever alternatives are reasonably available and prudent to consider:
A decision by DEQ is triggered when the applicant completes the application for licensure of the proposed activity at the proposed location. The applicants, however, may at any time choose to withdraw the application. This would result in DEQ selecting the "no action" alternative, because a DEQ decision would not be necessary. If the applicant withdraws the application, the applicant could seek to locate a similar facility elsewhere.

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 expanded MVWF. By withdrawing the application from consideration by DEQ, the applicant could 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 expansion application because the application failed to meet the minimum requirements of the Motor Vehicle Recycling & Disposal Act and could not continue to 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 expansion application approved" alternative. If this alternative is selected, DEQ will approve the application and issue a new license approving the expansion of the existing MVWF facility.

In consideration of these alternatives, the potential environmental effects of Alternative C were evaluated for the proposed project based on: the information provided, DEQ research on the site and area surrounding the proposed site, as well as DEQ's 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 of this section identify and evaluate the potential effects that may occur to human health and the environment if the site for Hanser's Salvage Co. is approved. The discussion of the potential impacts only includes those resources potentially 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 underlined 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
4. Vegetation Cover, Quantity, and Quality

The proposed facility is sited in Billings, Montana. This wrecking facility is surrounded by both residential and industrial areas. The impacts caused by the expansion 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 to the quality or quantity of the the vegetative cover on the property, since the facility already has pollution prevention controls in place from its current operation.

2. Water Quality, Quantity, and Distribution

Some properties in this area are on wells. The static ground water level in the vicinity of the site varies from 10 feet to 19 feet below ground surface (BGS) This proposed motor vehicle wrecking facility is not expected to have any impacts on the quality, quantity, and 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 either reused or properly recycled.

Table 3.3: Summary of nearby supply wells

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

Gwic Id	Township	Range	Section	Quarter Section	Type	Total Depth	Static Water Level	Yield (gpm)	Use
93989	01S	26E	9	CBA	WELL	30	14	30	DOMESTIC
93988	01S	26E	9	CBA	WELL	24	19	40	DOMESTIC
287825	01S	26E	9	CBA	WELL	33	15.5	30	DOMESTIC
93990	01S	26E	9	CBA	WELL	28	10	30	DOMESTIC
93980	01S	26E	9	CBA	WELL	22	12	40	DOMESTIC
171435	01S	26E	9	CBA	WELL	35	15.2	16	DOMESTIC

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 Keiser silty clay loam, Keiser and Hesper silty clay loams, and Lohmiller silty clay. These soils are well drained, 0 to 1 percent slope, and more than 80 inches to the water table. 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 anti-freeze 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
Keiser silty clay loam, 0 to 1 percent slopes	Kc	0 to 3 inches: silt loam 3 to 9 inches: silty clay 9 to 23 inches: silty clay loam 23 to 60 inches: silt loam	Well Drained	Moderately High
Keiser and Hesper silty clay loams, 0 to 1 percent slopes	Kh	0 to 3 inches: silt loam 3 to 9 inches: silty clay 9 to 23 inches: silty clay loam 23 to 60 inches: silt loam	Well Drained	Moderately High
Lohmiller silty clay, 0 to 1 percent slopes	Lr	0 to 9 inches: silty clay 9 to 42 inches: stratified clay to silty clay loam 42 to 60 inches: stratified silty clay loam to fine sandy loam	Well Drained	Moderately Low – Moderately High

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

Figure 1.3: Summary of Soil Properties Map

5. Aesthetics

The MVRDP is mandated by statute to require all MVWF 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 outlined in the Administrative Rule of Montana, 17.50.202 prior to licensure.

7.0 Air Quality

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

8. Historical and Archaeological Sites

All applicants are required to contact the State Historic Preservation Office (SHPO) in order to determine whether the activites 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 underlined 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
6. Local & State Tax Base & Tax Revenue

The expansion of a motor vehicle wrecking facility at the proposed location will provide a source of used motor vehicles or component parts for sale to the public. The issuance of a motor vehicle wrecking facility 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 motor vehicle wrecking facility may create an additional labor requirement and may result in additional employment. This employment and the employment requirements for the support services of this yard may provide a neutral to positive employment impact for the community.

7. Demands for Government Services

The potential impact of the proposed expanded facility 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 from citizens free of charge and to regulate activities at licensed MVWF. Counties are required to inspect, at least annually, MVWFs for compliance with all applicable rules. The Yellowstone County Junk Vehicle & Code Enforcement Department and DEQ's Solid Waste Section will perform routine inspections and provide compliance assistance while the facility is operational.

10. Locally Adopted Environmental Plans and Goals

The site selection is not the responsibility of Motor Vehicle Recycling & Disposal Program, but rather the applicant's. The establishment of a motor vehicle wrecking facility at this location does not conflict with any existing zoning ordinances as certified by Nicole Cromwell, Zoning Coordinator, Billings and Yellowstone County, Montana.

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:

MVWF 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, 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 recommendation is to distribute the EA to adjacent landowners and interested persons to satisfy the public notification and participation requirements of MEPA.

Findings:

DEQ has determined that the proposed site, located adjacent to a residential area, will have a minor impact on the surroundings. The site currently operates a licensed MVWF. Site activities will be verified by periodic inspections performed by DEQ and/or Yellowstone County personnel to ensure that the potential risk of adverse effects on human health and the environment resulting from operation of the facility are minimized. As a result, DEQ finds that an EA is the appropriate level of analysis and an Environmental Impact Statement is not needed.

If an EIS is needed, and if appropriate, explain the reasons for preparing the EA:

DEQ finds that an Environmental Impact Statement (EIS) is not necessary due to the mitigating factors provided by the solid waste rules and the applicant's proposal for licensure of Hanser's Salvage Co. at the selected location. Consequently, the combined effect of all such factors at the site 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 expansion application, it is clear that the facility will handle all automotive fluids as required by law, shield the facility as required by law, and meet all Yellowstone County zoning ordinances. Therefore, an EA is the appropriate document to address the potentially minor impacts of the proposed licensure of Hanser's Salvage Co.

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

Yellowstone 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: Brady Christensen – Montana DEQ, Solid Waste Section

Date: October 7, 2016

PUBLIC NOTICE
Requisition # WMRFY17-194

An application for the licensing of a motor vehicle wrecking facility has been submitted to the Montana Department of Environmental Quality, Permitting & Compliance Division, for review. The name and address of the applicant follows:

Hanser's Salvage Co
430 S billings Blvd
Billings MT 59101

The proposed motor vehicle wrecking facility will be in Yellowstone County. This facility will be located at 430 S. Billings Blvd., Billings, Montana. The legal description of the facility is Lot 5 of the Southwest quarter of Section 9, Township 01 South, Range 26 East.

The purpose of this notice is to inform the public of the proposed action and to seek their participation in the decision-making process, pursuant to the Motor Vehicle Recycling & Disposal Act, 75-10-516 MCA. A **30-day comment period** from the date of this notice will be given for the public to submit written comments to the Department concerning the proposed facility.

Dated this 7th day of October 2016