

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

DRAFT ENVIRONMENTAL ASSESSMENT

PROJECT OR APPLICATION:

Spalding Auto Parts, a Montana firm, has proposed a yard expansion 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. Russell D. Spalding (applicant), doing business as Spalding Auto Parts, submitted a license application to DEQ’s SWS for the modification of an existing MVWF in Missoula County. The proposed location is 9919 Garrymore Lane, Missoula, Montana. The legal description of the facility is Haffner Subdivision, S28, T14 N, R20 W, Lot 2, acres 7.44, of lot 1A Lots 1A-1 & 1A-2, includes Portion A. At the present time, the property is owned by Missoula Lincoln Street, LLC. and is currently a fenced lot. Mr. Spalding has applied to expand to add 7.44 acres to his existing 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 serves to identify the potential effect of a state action within the confines of existing laws and rules governing 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 (MCA 75-10-501(6)(a)(i));
- (2) Buy or sell component parts, in whole or in part, and deal in second-hand junk vehicles (MCA 75-10-501(6)(a)(ii));
- (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed MVWF (MCA 75-10-520);
- (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:

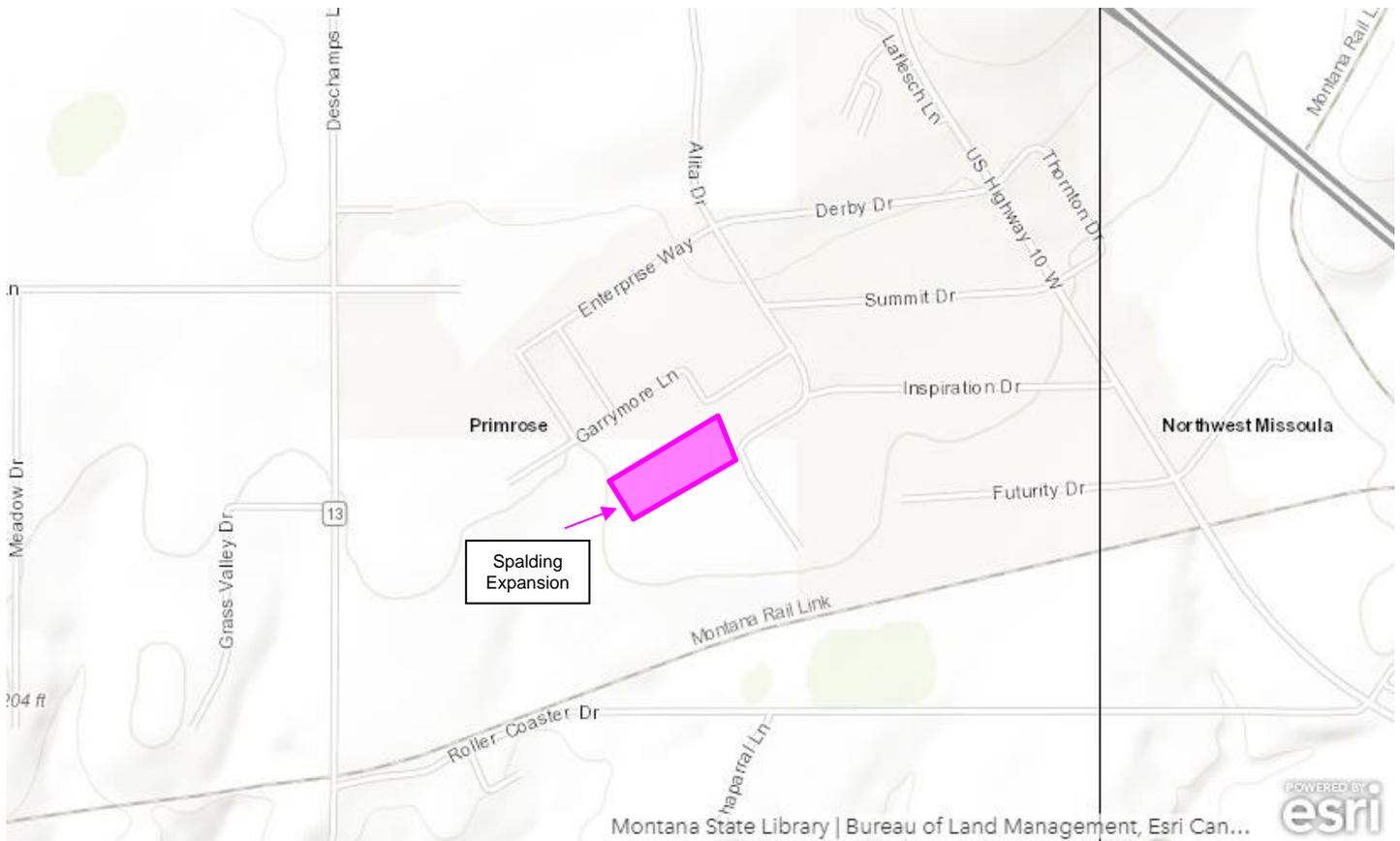
The proposed MVWF will be in Missoula County. The proposed location is 9919 Garrymore Lane, Missoula, Montana. The legal description of the facility is Haffner Subdivision, S28, T14 N, R20 W, Lot 2, acres 7.44, of lot 1A Lots 1A-1 & 1A-2, includes Portion A. (**Figures 1.1 and 1.2**). Mr. Spalding has applied to expand to add 7.44 acres to his existing 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.

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 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, which included 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** 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. 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 yard expansion 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	Total Depth (ft)	Static Water Level (ft)	Yield (gpm)	Use
71110	14N	20W	29	NE¼ SE¼	108.5	68.5	15	Domestic
133931	14N	20W	29	NE¼ SE¼ SE¼ SE¼	210	95	20	Domestic
230589	14N	20W	28	SW¼ SW¼	212	134	30	Domestic
181237	14N	20W	28	NW¼ SW¼	175	95	15	Domestic
276911	14N	20W	28	SW¼ NW¼	540	140	25	Domestic
297122	14N	20W	28	SW¼ SW¼ NW¼	195	135	25	Domestic
237497	14N	20W	28	SW¼ NW¼	200	152	30	Domestic
189610	14N	20W	28	NW¼ SW¼ NW¼	220	115	20	Domestic
71091	14N	20W	28	SW¼	200	89	15	Domestic
71092	14N	20W	28	SE¼ SW¼	76.5	59	18	Domestic
299292	14N	20W	28	NE¼ SW¼	177	119	30	Domestic
176870	14N	20W	28	NW¼ NE¼ SW¼	121	105	20	Domestic
299903	14N	20W	28	NA	176	118	30	Domestic
240682	14N	20W	28	SE¼ SE¼ NW¼	181	136	30	Domestic
204436	14N	20W	28	SE¼ SE¼ NW¼	220	108	12	Domestic
153843	14N	20W	28	NW¼ SE¼ NE¼ NW¼	320	170	60	Domestic
78983	14N	20W	28	NA	200	147	25	Domestic
71090	14N	20W	28	NE¼ NW¼ SW¼ SW¼ NE¼	180	135	15	Domestic
158545	14N	20W	28	SW¼ SE¼	240	122	6	Domestic
167421	14N	20W	28	NW¼ SE¼	390	NA	90	Domestic
181238	14N	20W	28	SW¼ NE¼	180	105	10	Domestic
171795	14N	20W	28	NW¼ NE¼ SW¼ NE¼	NA	NA	NA	Domestic

706451	14N	20W	28	SW¼ SE¼ NW¼ NE¼	259	NA	NA	Domestic
71100	14N	20W	28	NW¼ NW¼ SE¼ SE¼	632	71	18	Domestic
71093	14N	20W	28	SE¼	372	102	40	Domestic
71076	14N	20W	28	NE¼ SE¼ NW¼ SE¼	120	85	15	Domestic
71098	14N	20W	28	NW¼ SE¼ NE¼ NW¼ SE¼	170	110	20	Domestic
235238	14N	20W	28	NE¼ SW¼ NE¼	298	168	16	Domestic
169644	14N	20W	28	NW¼ SE¼	153	93	12	Domestic
71088	14N	20W	28	NE¼	275	170	25	Domestic
71096	14N	20W	28	NW¼ NE¼ SE¼	140	80	15	Domestic
71089	14N	20W	28	NE¼	286	155	25	Domestic
71097	14N	20W	28	NE¼ SW¼ SE¼ NE¼ SE¼	96	80	8	Domestic
165666	14N	20W	28	NE¼ SE¼	150	99	20	Domestic
71085	14N	20W	28	SE¼ NW¼ NE¼ SE¼	154	85	15	Domestic
241802	14N	20W	28	SE¼ NE¼	200	128	30	Domestic
169643	14N	20W	28	SW¼ NE¼ NE¼	205	NA	20	Domestic
261642	14N	20W	28	NE¼ SE¼	320	87	5	Domestic
71085	14N	20W	28	SE¼ NW¼ NE¼ SE¼	154	85	15	Domestic
167589	14N	20W	28	SE¼ NE¼ SE¼	120	89	22	Domestic
71073	14N	20W	27	SW¼ NW¼ SW¼	223	70	30	Domestic
227495	14N	20W	27	SW¼ SW¼	140	81	30	Domestic
292543	14N	20W	28	SE¼ SE¼	180	128	12	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 Minesinger-Bigarm complex. These soils are well drained, 0 to 4 percent slope, and the water table begins at a depth of 80 inches for this soil type. 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 3.4 – Summary of Soil Properties

Soil Type	Minesinger-Bigarm complex
Map Key	7
Slope	0 to 4 percent slopes
Depth Profile	A1 - 0 to 6 inches: gravelly loam A2 - 6 to 13 inches: cobbly loam Bt - 13 to 24 inches: very gravelly clay Bk - 24 to 60 inches: very gravelly clay loam
Drainage	Well Drained
Permeability	Moderately low to moderately high
Frequency of Flooding	None
Frequency of Ponding	None
Capacity of the most limiting layer to transmit water (Ksat):	Moderately high to high (0.71 to 2.13 in/hr)
Depth to water table	More than 80 inches

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 vegetative cover on the property as the site is already developed.

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 negligible.

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

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, the site is neither within nor near a designated sage grouse habitat or BLM Priority area.

The Species of Concern present within Missoula County are outlined in Table 3.5 below:

Table 3.5 – Species of Concern in Missoula County

Species	Common name	Habitat
<i>Carex scoparia</i>	Pointed Broom Sedge	Wetland/Riparian
<i>Gulo gulo</i>	Wolverine	Boreal forest & alpine
<i>Pekania pennati</i>	Fisher	Mixed conifer forests
<i>Dryocopus pileatus</i>	Pileated Woodpecker	Moist conifer forests
<i>Falco peregrinus</i>	Peregrine Falcon	Cliffs/Canyons
<i>Haemorhous cassinii</i>	Cassin's Finch	Drier conifer forests
<i>Oncorhynchus clarkii lewisi</i>	Westslope Cutthroat Trout	Mountain streams, rivers, lakes
<i>Soyedina potteri</i>	Northern Rocky Mountains Refugium Stonefly	Small forested mountain streams
<i>Zapada cordillera</i>	Cordilleran Stonefly	Alpine/Mountain streams
<i>Myotis lucifugus</i>	Little Brown Myotis	Generalist
<i>Corynorhinus townsendii</i>	Townsend's Big-eared Bat	Caves in forested habitats
<i>Lasiurus cinereus</i>	Hoary Bat	Riparian and forest
<i>Myotis thysanodes</i>	Fringed Myotis	Riparian and dry mixed conifer forest
<i>Ursus arctos</i>	Grizzly Bear	Conifer Forest
<i>Ardea herodias</i>	Great Blue Heron	Riparian forest
<i>Dolichonyx oryzivorus</i>	Bobolink	Moist grasslands
<i>Falco peregrinus</i>	Peregrine Falcon	Cliffs / canyons
<i>Ixoreus naevius</i>	Varied Thrush	Moist conifer forests
<i>Melanerpes lewis</i>	Lewis's Woodpecker	Riparian forest
<i>Numenius americanus</i>	Long-billed Curlew	Grasslands
<i>Plestiodon skiltonianus</i>	Western Skink	Open conifer forest and adjacent grasslands
<i>Soyedina potteri</i>	Northern Rocky Mountains Refugium Stonefly	Small forested mountain streams
<i>Catharus fuscescens</i>	Veery	Riparian forest

Source: Montana Natural Heritage Program SOC Report

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 MVWF.

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 an expansion of the current yard for Spalding Auto Parts. There should not be a change in the activities and production of the local area.

10. Locally Adopted Environmental Plans and Goals

Site selection is the applicant's responsibility. The establishment of a MVWF at this location does not conflict with any existing zoning ordinances, as certified by Lauren Ryan, Planner with Missoula County Community and Planning. Currently, Lot 1A1 & 1A2 are zoned as C-I1, 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 management method intends to prevent or mitigate the potential for ground water contamination. This is a license condition enforceable by DEQ which the applicant is already in compliance with.

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

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 the yard expansion of the Spalding 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 license expansion of the Spalding Auto Parts MVWF.

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

Missoula County Commissioners

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: February 20, 2020