

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:

Davis Enterprises, a Montana firm, has proposed a private Motor Vehicle Wrecking Facility in Sheridan 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 Motor Vehicle Recycling & Disposal Program (MVRDP) to license and regulate motor vehicle wrecking facilities (MVWF) in the state of Montana.

SECTION 1.0 – PROJECT DESCRIPTION:

Mr. Steven Davis (applicant), doing business as Davis Enterprises, submitted a license application to DEQ's SWS for the licensure of a MVWF in Sheridan County. The proposed location is at the southwest parcel at the intersection of 2nd Ave. and Burke St., Antelope, Montana. At the present time, the property is owned by Mr. Davis and contains a residence and large metal outbuildings as well as various automobiles and other equipment. Mr. Davis has applied to license 0.34 acres of the property for use as a MVWF.

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 that 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 the 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 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:

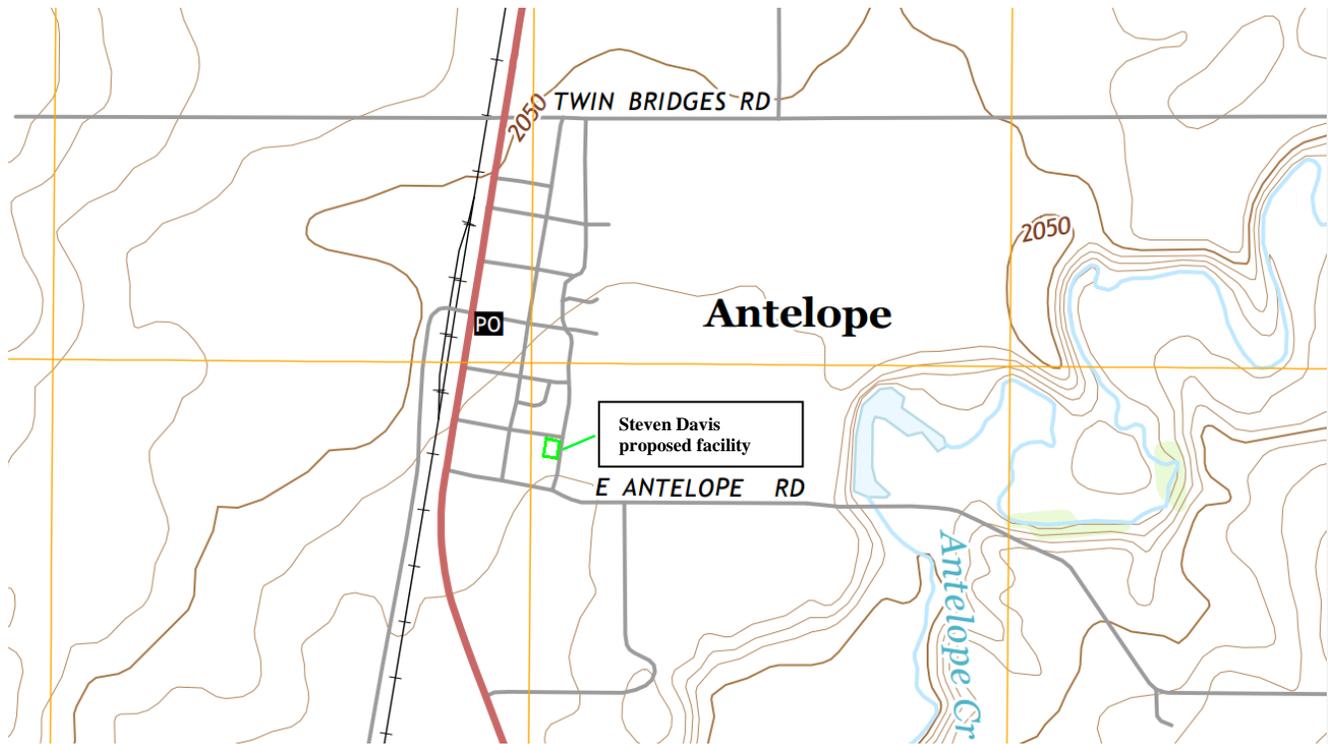
The proposed MVWF will be in Sheridan County. This facility will be located at the southwest parcel at the intersection of 2nd Ave. and Burke St., Antelope, Montana. The legal description of the facility is that part of Lot 11 in the Southwest ¼ of the Northeast ¼ of Section 24, Township 34 North, Range 55 East of the Principal Montana Meridian, in the Antelope Original Townsite, Sheridan County, Montana. Reference Figures 1.1 and 1.2.

Figure 1.1 – Location of Proposed Site



Source: Google Earth

Figure 1.2 – Location of Proposed Site



Source: USGS

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. 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 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 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 new MVWF 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 application approved” alternative. If this alternative is selected, DEQ will approve the application and issue a new license establishing 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 the site visit by DEQ. 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 the MVWF at Davis Enterprises 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 existing wrecking facility is surrounded by residential, commercial, and agricultural 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 on the wildlife, birds, or fish in this area as this project is located in a developed area.

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 25 feet to 60 feet below ground surface (BGS) This proposed MVWF 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

Gwic Id	Township	Range	Section	Quarter Section	Type	Total Depth	Static Water Level	Yield (gpm)	Use
45914	34N	55E	24	SW ¼ NE ¼ SE ¼	WELL	150	50	15	DOMESTIC
45897	34N	55E	24	CBA	WELL	90	NA	30	DOMESTIC
45895	34N	55E	24	NW ¼ NE ¼	WELL	163	NA	NA	DOMESTIC
45905	34N	55E	24	SE ¼ NE ¼ NE ¼	WELL	60	32	7	DOMESTIC
3936	34N	55E	24	NW ¼ SW ¼ NE ¼ NE ¼	WELL	60	32	7	DOMESTIC
45910	34N	55E	24	NE ¼ SE ¼ NE ¼ NE ¼	WELL	151	48	30	DOMESTIC
45893	34N	55E	24	NE ¼ SE ¼ NW ¼ NE ¼	WELL	163	46.9	24	DOMESTIC
45894	34N	55E	24	NE ¼ SE ¼ NW ¼ NE ¼	WELL	163	48	50	DOMESTIC
45900	34N	55E	24	NE ¼	WELL	53	43	10	DOMESTIC
3938	34N	55E	24	NE ¼ SE ¼ NW ¼ NE ¼	WELL	43	25	12	DOMESTIC
3937	34N	55E	24	NW ¼ NE ¼ SW ¼ NE ¼	WELL	148	60	12	DOMESTIC
41586	34N	55E	24	SW ¼ NE ¼	WELL	213	47	6	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 Turner loam, Williams loams, and Williams-Zahill loams. These soils are well drained, 0 to 1 percent slope, and the water table beings 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 anti-freeze may drip from the vehicles stored at the facility. This residual dripping is not expected

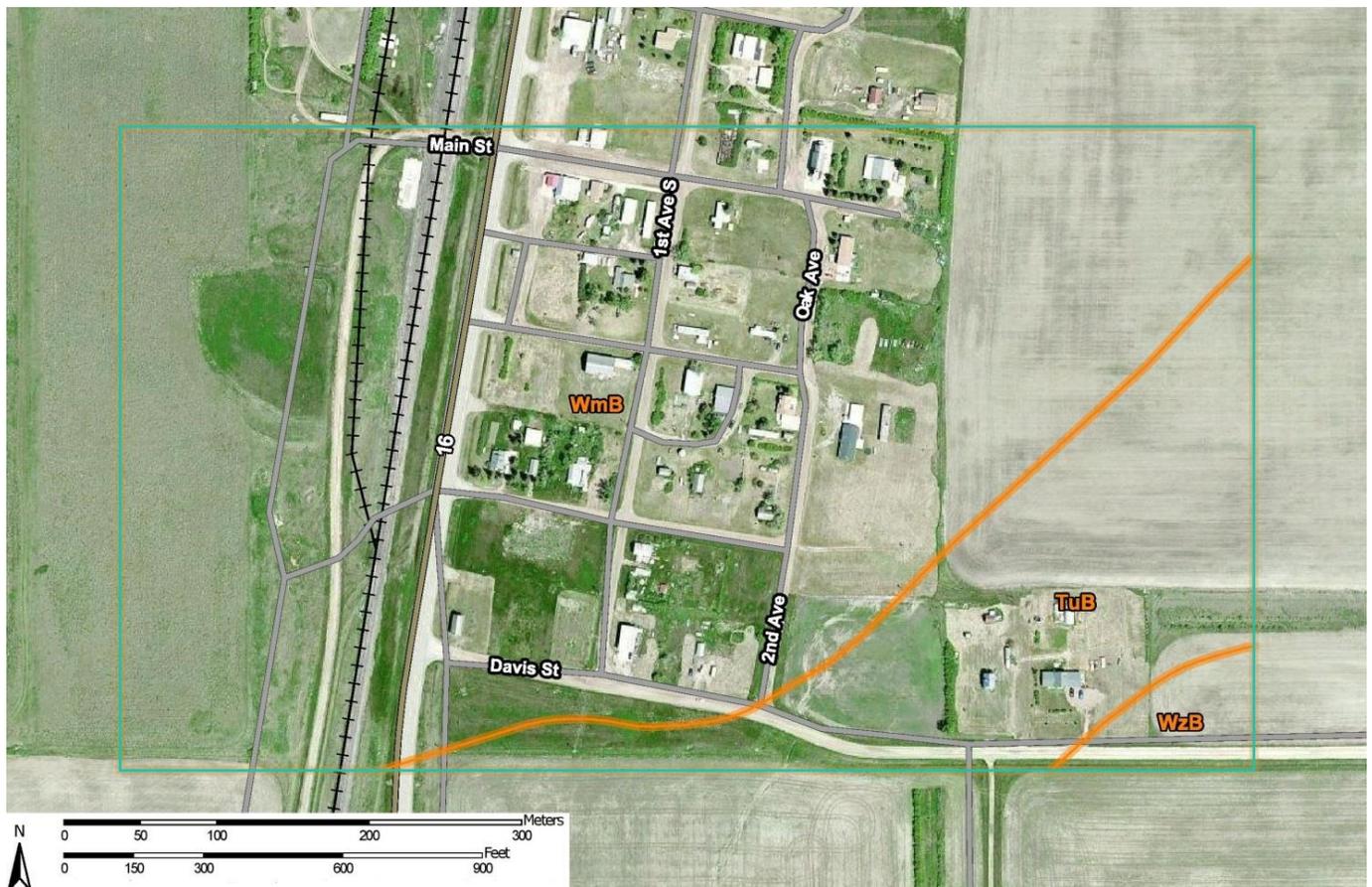
to be significant or result in heavy soil accumulations because the junk vehicles will have the fluids removed over an impermeable pad.

Table 3.3 – Summary of Soil Properties

Soil Type	Map Key	Depth profile	Drainage	Permeability
Turner loam 0 to 4 percent slopes	TuB	0 to 7 inches: loam 7 to 12 inches: clay loam 12 to 26 inches: clay loam 26 to 60 inches: very gravelly sand	Well Drained	Moderately High
Williams loam 0 to 4 percent slopes	WmB	0 to 6 inches: loam 6 to 10 inches: clay loam 10 to 16 inches: clay loam 16 to 22 inches: clay loam 22 to 36 inches: clay loam 36 to 59 inches: loam 59 to 79 inches: loam	Well Drained	Moderately High to High
Williams-Zahill loams undulating	WzB	0 to 6 inches: loam 6 to 16 inches: clay loam 16 to 36 inches: clay loam 36 to 60 inches: clay loam	Well Drained	Moderately Low to Moderately High

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

Figure 1.3 – Summary of Soil Properties Map



4. Vegetation Cover, Quantity, and Quality

The proposed facility is sited in Antelope, Montana. This wrecking facility is surrounded by residential, commercial, and agricultural 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 is already being used to store automobiles.

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.

6. 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 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 mainly 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 expansion 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 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 Sheridan 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 MVWF at this location does not conflict with any existing zoning ordinances as certified by William Nyby, Commissioner, Sheridan 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 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.

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 the Davis Enterprises 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, shield the facility as required by law, and meet all Sheridan County zoning ordinances. Therefore, an EA is the appropriate document to address the potentially minor impacts of the proposed licensure of the Davis Enterprises MVWF.

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

Sheridan 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: April 12, 2017