



Water Protection Bureau  
**Environmental Assessment**

**Name of Project:** ExxonMobil Refining and Supply Company

**Location of Project:** 45.8191670, -108.436389  
 700 ExxonMobil Road  
 Billings, Mt 59101

**Description of Project:** The Department of Environmental Quality (DEQ) proposes to renew the MPDES permit for ExxonMobil Refining and Supply Company (ExxonMobil) suction dredging activities to discharge to the Yellowstone River. Each year the river intake channel in front of the pump house fills with river sediment, gravel, and rocks during the high runoff season. Dredging the channel is required to maintain ExxonMobil's vested water rights for the safe and reliable operation of the refinery.

**Agency Action and Applicable Regulations:** The proposed action is to renew MPDES Permit MT0028321 for another five-year cycle.

- Administrative Rules of Montana (ARM Title 17 Chapter 30)
- Subchapter 2 – Water Quality Permit Application and Annual Fees.
  - Subchapter 5 – Mixing Zones in Surface and Ground Water.
  - Subchapter 6 – Surface Water Quality Standards.
  - Subchapter 7 – Nondegradation of Water Quality.
  - Subchapter 11 – Storm Water Discharges.
  - Subchapter 12 and 13 – Montana Pollutant Discharge Elimination System Standards.

Montana Water Quality Act, MCA 75-5-101 et. seq.

**Summary of Issues:** The proposed permit contains effluent limits and monitoring requirements determined through the MPDES permit renewal process.

**Benefits and Purpose of Action:** The permit will ensure compliance with the Montana Water Quality Act and protection of the beneficial uses of the Yellowstone River.

**Affected Environment & Impacts of the Proposed Project:**

Y = Impacts may occur.      N = Not present. *or* No Impact will likely occur.

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES

<b>IMPACTS ON THE PHYSICAL ENVIRONMENT</b>	
<b>RESOURCE</b>	<b>[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
<b>1. Geology and Soil Quality, Stability and Moisture:</b> Are soils present which are fragile, erosive, susceptible to compaction, or unstable? Are there unusual or unstable geologic features? Are there special reclamation considerations?	[N] No new impacts have been identified.
<b>2. Water Quality, Quantity, and Distribution:</b> Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?	[N] The renewed permit contains effluent limits and monitoring requirements that will continue to assure discharge quality and protect beneficial uses of the receiving water.
<b>3. Air Quality:</b> Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[N] The continued operation of the facility subject to the permit renewal represent no new impacts on air quality.
<b>4. Vegetation Cover, Quantity and Quality:</b> Will vegetative communities be significantly impacted? Are any rare plants or cover types present?	[N] Based on a search of the Natural Heritage Database, there is one vegetative species of concern in or within one mile of the site: <ul style="list-style-type: none"> <li>• <i>Gratiola ebracteata</i> (Bractless Hedge-hyssop)</li> </ul> This MPDES permitting action is the renewal of an existing wastewater discharge permit, with no new impact anticipated on these or other vegetative communities.
<b>5. Terrestrial, Avian, and Aquatic Life Habitats:</b> Is there substantial use of the area by important wildlife, birds or fish?	[N] Based on a search of the Natural Heritage Database, there are 14 animal species of concern in or within one mile of the site: <ul style="list-style-type: none"> <li>• Three (3) mammals: <i>Euderma maculatum</i> (Spotted Bat), <i>Myotis lucifugus</i> (Little Brown Myotis), <i>Lasiurus cinereus</i> (Hoary Bat)</li> <li>• Four (4) avian species: <i>Gymnorhinus cyanocephalus</i> (Pinyon Jay), <i>Coccyzu erythrophthalmus</i> (Black-billed Cuckoo), <i>Ardea herodias</i> (Great Blue Heron), <i>Haliaeetus leucocephalus</i> (Bald Eagle)</li> <li>• One (1) aquatic species: <i>Sander Canadensis</i> (Sauger)</li> <li>• Five (5) reptiles: <i>Chelydra serpentine</i> (Snapping Turtle), <i>Apalone spinifera</i> (Spiny Softshell), <i>Lampropeltis gentilis</i> (Western Milksnake), <i>Heterodon nasicus</i> (Plains Hog-nosed Snake), <i>Phrynosoma hernandesi</i> Greater Short-horned Lizard)</li> <li>• One (1) other: Bat Root (Non-Cave)</li> </ul> This MPDES permitting action is the renewal of an existing wastewater discharge permit, with no new impact anticipated on these or other species.
<b>6. Unique, Endangered, Fragile, or Limited Environmental Resources:</b> Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?	[N] See #5

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<p><b>7. Sage Grouse Executive Order:</b> Is the project proposed in core, general or connectivity sage grouse habitat, as designated by the Sage Grouse Habitat Conservation Program (Program) at: <a href="https://sagegrouse.mt.gov/">https://sagegrouse.mt.gov/</a>                      If yes, did the applicant attach documentation from the Program showing compliance with Executive Order 12-2015 and the Program’s recommendations? If so, attach the documentation to the EA and address the Program’s recommendations in the permit. If project is in core, general or connectivity habitat and the applicant did not document consultation with the Program, refer the applicant to the Sage Grouse Habitat Conservation Program.</p>	[N] The facility is not within core, connectivity, or general sage grouse habitat as designated by the Sage Grouse Conservation Program.
<p><b>8. Historical and Archeological Sites:</b> Are any historical, archaeological or paleontological resources present?</p>	[N] No known historical, archeological, or paleontological resources present. Should structures need to be altered or if cultural materials be inadvertently discovered, the State Historic Preservation Office (SHPO) should be contacted.
<p><b>9. Aesthetics:</b> Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?</p>	[N] This facility is long established and no new aesthetic impacts have been identified.
<p><b>10. Demands on Environmental Resources of Land, Water, Air or Energy:</b> Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project? Will new or upgraded powerlines or other energy sources be needed?</p>	[N] This facility is long established and no new impacts have been identified.
<p><b>11. Impacts on Other Environmental Resources:</b> Are there other activities nearby that will affect the project?</p>	[N] There are no known nearby activities that would affect the project.

<b>IMPACTS ON THE HUMAN ENVIRONMENT</b>	
<b>RESOURCE</b>	<b>[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
<p><b>12. Human Health and Safety:</b> Will this project add to health and safety risks in the area?</p>	[N] The renewed permit contains effluent limits and that will protect public health.
<p><b>13. Industrial, Commercial, and Agricultural Activities and Production:</b> Will the project add to or alter these activities?</p>	[N] The facility subject to the permit renewal is long established, and the renewal of this permit will not affect these uses.
<p><b>14. Quantity and Distribution of Employment:</b> Will the project create, move or eliminate jobs? If so, estimated number.</p>	[N] The continued operation of the facility subject to the permit renewal has no anticipated impact on the quantity and distribution of employment.
<p><b>15. Local and State Tax Base and Tax Revenues:</b> Will the project create or eliminate tax revenue?</p>	[N] The continued operation of the facility subject to the permit renewal has no anticipated impact on tax revenue.
<p><b>16. Demand for Government Services:</b> Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?</p>	[N] The continued operation of the facility subject to the permit renewal has no anticipated impact on tax revenue.
<p><b>17. Locally Adopted Environmental Plans and Goals:</b> Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?</p>	[N] No new impacts are expected at this time.
<p><b>18. Access to and Quality of Recreational and Wilderness Activities:</b> Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?</p>	[N] There are no wilderness or recreational accessed through this tract.
<p><b>19. Density and Distribution of Population and Housing:</b> Will the project add to the population and require additional housing?</p>	[N] The continued operation of the facility subject to the permit renewal has no anticipated impact on population.

<b>IMPACTS ON THE HUMAN ENVIRONMENT</b>	
<b>RESOURCE</b>	<b>[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
<b>20. Social Structures and Mores:</b> Is some disruption of native or traditional lifestyles or communities possible?	[N] Disruption of native or traditional lifestyles or communities will not be changed by the renewal of this permit.
<b>21. Cultural Uniqueness and Diversity:</b> Will the action cause a shift in some unique quality of the area?	[N] Continued operation of the facility has no anticipated impact on cultural uniqueness or diversity of the area.
<b>22. Other Appropriate Social and Economic Circumstances</b>	[N] No new impacts are expected.
<b>23(a). Private Property Impacts:</b> Are we regulating the use of private property under a regulatory statute adopted pursuant to the police power of the state? (Property management, grants of financial assistance, and the exercise of the power of eminent domain are not within this category.) If not, no further analysis is required.	[N]
<b>23(b). Private Property Impacts:</b> Is the agency proposing to deny the application or condition the approval in a way that restricts the use of the regulated person's private property? If not, no further analysis is required.	[N]
<b>23(c). Private Property Impacts:</b> If the answer to 21(b) is affirmative, does the agency have legal discretion to impose or not impose the proposed restriction or discretion as to how the restriction will be imposed? If not, no further analysis is required. If so, the agency must determine if there are alternatives that would reduce, minimize or eliminate the restriction on the use of private property, and analyze such alternatives. The agency must disclose the potential costs of identified restrictions.	[N]

**23. Description of and Impacts of other Alternatives Considered:**

A. No Action: Under the “No Action” alternative, the Department would not renew MPDES Permit # MT0030155. “No Action” could result in unauthorized wastewater discharge. This may result in a negative impact on state water quality.

B. Approval with Modification: The Department has not identified any necessary modifications to grant approval.

24. **Summary of Magnitude and Significance of Potential Impact:** No significant impacts are anticipated if the MPDES permit is renewed and the permittee complies with the terms of the permit.

25. **Cumulative Effects:** No negative cumulative effects are anticipated.

26. **Preferred Action Alternative and Rationale:** The preferred action is to renew the existing MPDES permit. This action is preferred because the permit program provides the regulatory mechanism for protecting water quality by enforcing the terms of the MPDES permit.

**Recommendation for Further Environmental Analysis:**

Environmental Impact Statement (EIS)     More Detailed EA     No Further Analysis

**Rationale for Recommendation:** An EIS is not required under the Montana Environmental Policy Act because the project lacks significant adverse effects to the human and/or physical environments.

- 27. **Public Involvement:** A 30-day public notification/comment period will be held.
- 28. **Persons and agencies consulted in the preparation of this analysis:** Montana Natural Heritage Program

**Environmental Assessment Prepared By:** Hannah New, October 2020

**Approved by:**

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Jon Kenning, Chief  
Water Protection Bureau

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Date