DEPARTMENT OF ENVIRONMENTAL QUALITY
Environmental Assessment

Water Quality Division
Water Protection Bureau

Name of Project: Sidney Sugar, Inc

Type of Project: Sugar beet processing, MPDES Permit Renewal MT0000248

Location of Project: 35140 Country Road 125

City/Town: Sidney, MT **County**: Richland

Description of Project:

The Sidney Sugar, Inc (SSI) beet processing facility produces refined sugar from locally produced sugar beets. The facility has been in operation since 1925. The first Montana Pollutant Discharge Elimination System (MPDES) permit was issued to SSI in 1974. The current MPDES permit was issued in 2009. The Department of Environmental Quality (DEQ) administratively extended the 2009-issued MPDES permit in 2014.

SSI produces process wastewater from beet washing, juice purification, cooling water, boiler blowdown and ash disposal. The permittee applied for three outfalls for the process wastewater. Outfall 001 is a direct discharge to the Yellowstone River; Outfall 002 is a discharge to the shallow ground water with a direct hydrological connection to the Yellowstone River; and Outfall 003 is the various factory site unlined wastewater ponds that infiltrate to ground water.

Agency Action and Applicable Regulations: The agency action is to issue an MPDES permit to Sidney Sugars, Inc. for a five-year period. Applicable regulations include:

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

ARM Title 17, Chapter 30, Subchapter 2 – Water Quality Permit Application and Annual Fees.

ARM Title 17, Chapter 30, Subchapter 5 – Mixing Zones in Surface and Ground Water.

ARM Title 17, Chapter 30, Subchapter 6 – Surface Water Quality Standards.

ARM Title 17, Chapter 30, Subchapter 7 – Nondegradation of Water Quality.

ARM Title 17, Chapter 30, Subchapter 12 – MPDES Effluent Limitations and Standards, Standards of Performance, and Treatment Requirements

ARM Title 17, Chapter 30, Subchapter 13 – MPDES Permits

Summary of Issues: The purpose of this action is to regulate the discharges of pollutants to state waters.

Affected Environment & Impacts of the Proposed Project:

Y = Impacts may occur (explain under Potential Impacts).
N = Not present or No Impact will likely occur.

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: 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] The SSI factory has been located at this site since 1925. The Section 25 unlined wastewater treatment pond was constructed in the 1970s. The area of the factory and Section 25 Pond have a low probably of a damaging earth quake (2009-issued permit). Soils underlying the Section 25 Pond are identified as the Harvelon silty clay, which has "some seepage potential" and "somewhat limits" for reservoir storage (2009-issued permit). Soils underlying the factory ponds are identified as Turner-Beaverton complex, which is "very limited" for pond reservoir construction, and the NRCS soil survey cites high seepage potential (2009-issued permit). The Section 25 Pond is located in the flood plain of the Yellowstone River. The area directly surrounding the pond has been known to flood during periodic Yellowstone River flooding events (ESRI).
2. WATER QUALITY, QUANTITY AND DISTRIBUTION: 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] Effluent limits, monitoring requirements, and special conditions are included in the permit to keep the discharger from impacting beneficial uses and water quality.
3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[N] SSI maintains an air quality permit issued by DEQ, which has limits, monitoring, and reporting conditions.
4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?	[N] The SSI factory has been located at this site since 1925, the Section 25 Pond was constructed in the 1970s, and no expansion is proposed. No impacts to vegetation is anticipated.
5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?	[N] The SSI factory has been located at this site since 1925, the Section 25 Pond was constructed in the 1970s, and no expansion is proposed. No impacts to life and/or habitats are anticipated.
6. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?	[N] Topographic maps show much of this area was historically wetlands. However, the SSI factory has been located at this site since 1925, the Section 25 Pond was constructed in the 1970s, and no expansion is proposed. No new effects are anticipated.
7. SAGE GROUSE EXECUTIVE ORDER: Is the project proposed in core, general or connectivity sage grouse habitat, as designated by the Sage Grouse Habitat Conservation Program (Program) at: http://dnrc.mt.gov/divisions/cardd/sage-grouse.	[N] DEQ has verified the facility is not within core, general, or connectivity sage grouse habitat.
8. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[N] The SSI factory has been located at this site since 1925. No impacts to historical/archaeological sites are anticipated.
9. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?	[N] The SSI factory has been located at this site since 1925. No impacts based on aesthetics are anticipated.

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
10. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: 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 powerline or other energy source be needed)	[N] The SSI factory has been located at this site since 1925. No further environmental impacts or demands are anticipated. The MDU Lewis and Clark Station, which provides access to Yellowstone River water supply for Sidney Sugars, is scheduled to shut down all coal-fired operations in 2021. They will continue in the near-term to supply water, but Sidney Sugars is pursuing water use reduction activities.
11. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	[N] No significant impacts have been identified.

IMPACTS ON THE HUMAN ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
12. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] No significant impacts have been identified. The permit contains effluent limits that protect water quality and the receiving water beneficial uses, including human health.
13. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] No significant impacts have been identified.
14. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.	[N] No significant impacts have been identified.
15. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[N] No significant impacts have been identified.
16. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?	[N] No significant impacts have been identified.
17. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] No significant impacts have been identified.
18. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	[N] No significant impacts have been identified.
19. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[N] No significant impacts have been identified.
20. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] No significant impacts have been identified.
21. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N] No significant impacts have been identified.

IMPACTS ON THE HUMAN ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
22. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES	[N] No significant impacts have been identified.
23(a). PRIVATE PROPERTY IMPACTS: 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]
23(b). PRIVATE PROPERTY IMPACTS: 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/A]
23(c). PRIVATE PROPERTY IMPACTS: If the answer to 23(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/A]

24. Description of and Impacts of other Alternatives Considered:

A. No Action: Under the 'No Action' alternative DEQ would not renew the MPDES permit.

B. Approval with modification: DEQ has not identified any necessary modifications to grant approval.

25. Summary of Magnitude and Significance of Potential Impacts:

Impacts were assessed with the assumption that the permittee will comply with the terms and conditions of the permit. Violations of the permit could lead to significant adverse impacts to state waters. DEQ has taken steps to ensure that beneficial uses of the receiving water are preserved, and exceedance of water quality standards will not occur. If violations of the permit do occur, DEQ will take appropriate action under the water quality act. Enforcement sanctions for violations of the permit include injunctions, civil and administrative penalties, and clean-up orders.

26. Cumulative Effects:

The issuance of this individual MPDES discharge permit would not have cumulative effects because the permit limits are based on state standards. The permit prohibits pollution and degradation of state waters.

27. Preferred Action Alternative and Rationale:

The preferred action is to issue the individual MPDES discharge permit renewal. This action is preferred because the permit provides a regulatory mechanism for protecting water quality by applying effluent limits and monitoring requirements.

Recommendation for Further Environmental Analysis:

[ ] EIS [ ] More Detailed EA [X] No Further Analysis

Rationale for Recommendation:

28. Public Involvement: A public comment period will be held through January 19, 2020. A public hearing is not scheduled.

29. Persons and agencies consulted in the preparation of this analysis: None

EA Checklist Prepared By:

Christine Weaver November 2020

Approved By:

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Jon Kenning, Chief Date
Water Protection Bureau