

DEPARTMENT OF ENVIRONMENTAL QUALITY
Environmental Assessment

Water Protection Bureau

Name of Project: Barretts Minerals Inc. – Barretts Dillon Plant

Type of Project: Continued discharge of industrial wastewater to ground water under the Montana Ground Water Pollution Control System (MGWPCS) permit program.

Location of Project: Section 17, Township 08 South, Range 09 West, Beaverhead County
Latitude: 45.13641°, Longitude: -112.73431°

City/Town: Dillon

County: Beaverhead

Description of Project: This Environmental Assessment (EA) is for a renewed MGWPCS permit (MTX000094) for the Barretts Dillon Plant (facility). The renewed MGWPCS permit reauthorizes Barretts Minerals Inc. (permittee) to discharge treated wastewater from a subsurface discharge structure (Outfall 001) into Class I ground water. The scope of this EA addresses the continued operation and discharge of the proposed wastewater disposal system. The magnitude and significance of potential impacts are summarized below (bullet #26).

Agency Action and Applicable Regulations: The proposed action is to reissue an individual MGWPCS permit that contains effluent limits and effluent monitoring requirements. The permit is issued under the authority of the Montana Water Quality Act, the Montana Ground Water Pollution Control System, and the Montana Numeric Water Quality Standards in the Department Circular DEQ-7.

Summary of Issues: The purpose of this action is to regulate the discharges of pollutants to state waters from the regulated facility. Issuance of an individual permit will require the permittee to implement, monitor, and manage practices to prevent pollution and the degradation of ground water.

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
<p>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?</p>	<p>[N] No significant impacts have been identified.</p>
<p>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?</p>	<p>[N] The facility covered under this permit must show evidence of treatment capable of meeting the established effluent limitation which was derived from the most restrictive ground water quality standards and nondegradation-nonsignificance criteria. This effluent limitation, along with special conditions and standard conditions of the permit has been developed to maintain the beneficial uses of all state ground waters including drinking water. Facilities must be able to meet this restrictive effluent limitation prior to discharge.</p> <p>Ground water monitoring at the hydraulically downgradient boundary of the mixing zone is maintained within the permit renewal. Please refer to the Fact Sheet document for further details.</p> <p>All discharge disposal structures must meet the minimum set back requirements which includes surface water, flood plains, ditches and springs. The applicant is encouraged to contact and consult with the Public Water, Subdivision and State Revolving Fund programs at DEQ: http://deq.mt.gov/Water/SurfaceWater/DesignApprovals</p> <p>Construction activities may impact water quality by contributing discharges of sediment to surface waters. The permittee may be required to obtain permit coverage under a Montana Pollutant Discharge Elimination System (MPDES) General Permit for</p>

IMPACTS ON THE PHYSICAL ENVIRONMENT	
	<p>Storm Water Discharges Associated with Construction Activity. The permittee may be required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which includes best management practices to protect nearby surface waters. Additional information can be found at the following website: http://deq.mt.gov/water/StormWater/stormsystems</p>
<p>3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?</p>	<p>[N] The facility currently maintains and is compliant: Montana Air Quality OP1995-08. No impacts will likely occur due to renewal of the MGWPCS permit and discharge of wastewater as authorized by the permit. For additional information, the permittee is encouraged to contact the Montana DEQ Air Resources Management Bureau: http://deq.mt.gov/Air</p>
<p>4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?</p>	<p>[N] Based on a search of the Natural Heritage Database, there are no species of concern (S1 or S2) that may occur in the area.</p>
<p>5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?</p>	<p>[N] Based on a search of the Natural Heritage Database, there is one species of concern (S1 or S2) that may occur in the area: the Western Pearlshell (Margaritiferid Mussel). The system is already built. Renewal has no impact on the species of concern.</p>
<p>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?</p>	<p>[N] No significant impacts will likely occur due to renewal of the MGWPCS permit and discharge of wastewater as authorized by the permit</p>
<p>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: https://sagegrouse.mt.gov/</p>	<p>[N] The project is in the general habitat of sage grouse according to the Sage Grouse Habitat Conservation Program. https://sagegrouse.mt.gov/. However, there is no impact foreseen as plant is built and has been in operation since the 1950s.</p>

IMPACTS ON THE PHYSICAL ENVIRONMENT	
8. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[N] The Department believes that this project has a low likelihood of impacting cultural properties. However, should structures need to be altered or if cultural materials be inadvertently discovered during this project the State Historic Preservation Office (SHPO) should be contacted.
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] No significant impacts.
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 power line or other energy source be needed?	[N] No significant impacts.
11. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	[N] No significant impacts will likely occur due to renewal of the MGWPCS permit and discharge of wastewater is authorized by the permit. Please refer to the applicable MEPA documents as listed above in relation to the hard rock program operating permit #00009.

IMPACTS ON THE HUMAN ENVIRONMENT	
12. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] No significant impacts.
13. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] No significant impacts.
14. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.	[N] The operation of this wastewater treatment system is important in maintaining many permanent jobs. Barretts is one of the largest employers in Beaverhead County.

IMPACTS ON THE HUMAN ENVIRONMENT	
15. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[N] The operation of this wastewater treatment system is crucial to an operation that is one of the most important tax sources in Beaverhead County.
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.
17. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] Wastewater treatment systems may be owned and operated by local communities, private companies, or sewer districts. These systems are a vital tool in protection of their own public and environmental health.
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.
19. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[N] No significant impacts.
20. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] No significant impacts.
21. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N] No significant impacts.
22. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	[N] No significant impacts.
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] No significant impacts.

IMPACTS ON THE HUMAN ENVIRONMENT	
<p>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.</p>	<p>[N] No significant impacts.</p>
<p>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.</p>	<p>[N] No significant impacts were identified in 23(b).</p>

24. Description of and Impacts of other Alternatives Considered:

- A. No Action: Under the “No Action” alternative, the Department would not issue this ground water discharge permit. “No Action” may lead to the creation of non-permitted wastewater systems. This may result in a net negative impact to ground water quality as the permit would prevent pollution and degradation of state waters.
- B. Approval with Modification: The Department has not identified any necessary modifications to grant approval.

25. Cumulative Effects:

The ground water in the vicinity of the existing discharge structure is Class I ground water with a specific conductance less than 1,000 µS/cm. DEQ has developed effluent limitations based on water quality standards to maintain the beneficial uses of this state ground water. The permit prohibits pollution of state waters. The permit includes monitoring, reporting, and corrective action requirements to establish, confirm, and maintain compliance with permit limitations. Please refer to the Fact Sheet document for additional information.

26. Summary of Magnitude and Significance of Potential Impacts:

Impacts were assessed with the assumption that the facility will comply with the terms and conditions of the permit. Violations of the permit could lead to significant adverse impacts to state waters. Violations of the permit are not an effect of the agency action since the permit itself forbids such activities. However, the Department has taken steps to ensure that violations do not occur. The Department provides assistance to applicants in understanding and implementing the requirements of the permit. The Department also

conducts periodic inspections of permitted facilities, and identifies potential problems with design or management practices. If violations of the permit do occur, the Department will take appropriate action under the water quality act. Enforcement sanctions for violations of the permit include injunctions, civil and administrative penalties, and cleanup orders.

27. **Preferred Action Alternative and Rationale:** The preferred action is to reissue the existing individual MGWPCS discharge permit. This action is preferred since the permit provides a regulatory mechanism for protecting ground water quality by applying effluent limits and monitoring requirements to the discharged wastewater.

Recommendation for Further Environmental Analysis:

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 physical environment.

28. Public Involvement:

Legal notice information for water quality discharge permits are listed at the following website: <http://deq.mt.gov/Public/notices/wqnotices>. Public comments on this proposal are invited any time prior to close of business on July 3, 2019. Comments may be directed to:

DEQWPBPublicComments@mt.gov

or to:

Montana Department of Environmental Quality
Water Protection Bureau
PO Box 200901
Helena, MT 59620

All comments received or postmarked prior to the close of the public comment period will be considered in the formulation of the final permit. DEQ will respond to all substantive comments pertinent to this permitting action and may issue a final decision within thirty days of the close of the public comment period.

All persons, including the applicant, who believe any condition of the draft permit is inappropriate, or that DEQ's tentative decision to deny an application, terminate a permit, or prepare a draft permit is inappropriate, shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by the close of the public comment period (including any public hearing). All public comments received for this draft permit will be included in the administrative record and will be available for public viewing during normal business hours.

Copies of the public notice are mailed to the applicant, state and federal agencies, and interested persons who have expressed interest in being notified of permit actions. A copy of the distribution list is available in the administrative record for this draft permit. Electronic copies of the public notice, draft permit, fact sheet, and draft environmental assessment are available at the following website: <http://deq.mt.gov/Public/notices/wqnotices>.

Any person interested in being placed on the mailing list for information regarding this permit may contact the DEQ Water Protection Bureau at (406) 444-5546 or email DEQWPBPublicComments@mt.gov. All inquiries will need to reference the permit number (MTX000094), and include the following information: name, address, and phone number.

During the public comment period provided by the notice, DEQ will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing.

29. **Persons and/or Agencies Consulted or Referenced in the Preparation of this Analysis:**

Montana State Historic Preservation Society

Montana Natural Heritage Program

Montana Bureau of Mines and Geology:

- Ground Water Information Center
- Ground Water Investigation Program
- Ground Water Assessment Program

Natural Resource Information System, Montana State Library

United States Department of Agriculture, Natural Resources Conservation Service Soil Survey

United States Geological Survey, Publication Warehouse

EA Checklist Prepared By:

Darryl Barton

May 10, 2019

Approved By:

Jon Kenning, Chief

Water Protection Bureau

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Signature

Date