

## AIR QUALITY PERMIT

Issued To: Phillips Construction  
P.O. Box 210  
Black Eagle, MT 59414

Permit: #3087-00  
Application Complete: 1/18/00  
Preliminary Determination: 2/24/00  
Department Decision: 03/13/00  
Final Permit: 03/29/00  
AFS: 777-3087

An air quality permit, with conditions, is granted to Phillips Construction (Phillips) pursuant to Section 75-2-204 and 211 of the Montana Code Annotated (MCA) as amended and Administrative Rules of Montana (ARM) 17.8.701, *et seq.*, as amended, for the following:

### Section I: Permitted Facilities

- A. Permitted Equipment: A portable 1995 Protec Enviro-1047J (10" x 47") Jaw crusher, serial #1047PEJ004 (maximum capacity 100 TPH); a portable 1996 Kolberg (4' x 8') Pioneer two-deck screen, serial #201271B304096 (maximum capacity 350 TPH); and associated equipment. A complete equipment list is contained in the permit analysis.
- B. Original Location: Original location is identified as Section 20, Township 21 North, Range 1 West, in Cascade County, Montana. Permit #3087-00 applies while operating in any location within the State of Montana, except within those areas having a Department of Environmental Quality (department) approved permitting program. A Missoula County Air Quality Permit will be required for all locations within Missoula County.

### Section II: Limitations and Conditions

- A. Operational
  1. All visible emissions from the 1995 portable Protec Enviro-1047J jaw crusher may not exhibit an opacity of 15% or greater averaged over six (6) consecutive minutes (ARM 17.8.340, ARM 17.8.715 and 40 CFR 60 Subpart 000).
  2. Phillips shall not cause or authorize to be discharged into the atmosphere from the 1996 Kolberg Pioneer 2-deck screen and any other affected equipment manufactured after August 31, 1983, any fugitive emissions that exhibit an opacity of 10% or greater averaged over six (6) consecutive minutes (ARM 17.8.340, ARM 17.8.715 and 40 CFR 60 Subpart 000).
  3. Phillips shall not cause or authorize to be discharged into the atmosphere from any other equipment, manufactured before August 31, 1983, and used in conjunction with this facility, any visible emissions that exhibit an opacity of 20% or greater averaged over six (6) consecutive minutes (ARM 17.8.308 and ARM 17.8.715).
  4. Phillips shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).

5. Phillips shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation in Section II.A.4 (ARM 17.8.715).
6. Water and spray bars shall be available on site at all times, and operated as necessary, to maintain compliance with the opacity limitations in Sections II.A.1, II.A.2, and II.A.3 (ARM 17.8.715).
7. If the permitted equipment is used in conjunction with any other equipment owned or operated by Phillips, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons/year during any rolling twelve (12) month time period. Any calculations used to establish production levels shall be approved by the department (ARM 17.8.710).
8. Phillips shall comply with all applicable standards, limitations, and the reporting, record keeping, and notification requirements contained in 40 CFR Part 60, Subpart OOO for the crushing plant (ARM 17.8.340 and 40 CFR 60).

B. Testing Requirements

1. Within 60 days after achieving the maximum production rate, but not later than 180 days after initial start up, an EPA Method 9 opacity test and/or other methods and procedures as specified in 40 CFR Part 60.675 must be performed on the 1995 portable Protec Enviro-1047J Jaw crusher (serial #1047PEJ004); the 1996 portable Kolberg Pioneer two-deck screen (serial #201271B304096); and any other affected facilities (i.e., screens or conveyor transfers) manufactured after August 31, 1983, to demonstrate compliance with the emission limitations contained in Sections II.A.1 and II.A.2 (ARM 17.8.340, 40 CFR Part 60, General Provisions, and Subpart OOO).
2. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
3. The department may require further testing (ARM 17.8.105).

C. Reporting Requirements

1. If this crushing/screening plant is moved to another location, a Notice of Intent to Transfer Location of Air Quality Permit must be sent to the department. In addition, a Public Notice Form of Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made. This Change of Location Notice must be published at least fifteen (15) days prior to the move. The Intent to Transfer Form and the proof of publication (affidavit) of the Change of Location Form must be submitted to the department prior to the move. These forms are available from the department (ARM 17.8.734).
2. Phillips shall maintain on-site records showing daily hours of operation and daily production rates for the last twelve (12) months. The records compiled in accordance with this permit shall be maintained by Phillips as a permanent business record for at least five (5) years following the date of the measurement, shall be submitted to the department upon request, and shall be available at the plant site for inspection by the department (ARM 17.8.710).

3. Phillips shall supply the department with annual production information for all emission points, as required by the department, in the annual emissions inventory request. The request will include, but is not limited to, all sources of emissions identified in the most recent emission inventory report and sources identified in Section I.A of this permit.

Production information shall be gathered on a calendar-year basis and submitted to the department by the date required in the emission inventory request. Information shall be in units as required by the department (ARM 17.8.505).

4. Phillips shall notify the department of any construction or improvement project conducted pursuant to ARM 17.8.705(1)(r) that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emissions unit. The notice must be submitted to the department, in writing, 10 days prior to start up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.705(1)(r)(iv) (ARM 17.8.705).

### Section III: General Conditions

- A. Inspection - The recipient shall allow the department's representatives access to the source at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if the recipient fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving the permittee of the responsibility for complying with any applicable federal or Montana statute, rule or standard, except as specifically provided in ARM 17.8.701, *et seq.* (ARM 17.8.717).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties, or other enforcement as specified in Section 75-2-401 *et seq.*, MCA.
- E. Appeals - Any person or persons jointly or severally adversely affected by the department's decision may request, within fifteen (15) days after the department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The department's decision on the application is not final unless fifteen (15) days have elapsed and there is no request for a hearing under this section. The filing of a request for a hearing postpones the effective date of the department's decision until the conclusion of the hearing and issuance of a final decision by the Board.
- F. Permit Inspection - As required by ARM 17.8.716, Inspection of Permit, a copy of the

air quality permit shall be made available for inspection by department personnel at the location of the permitted source.

- G. Construction Commencement - Construction must begin within three (3) years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked.
- H. Permit Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, the continuing validity of this permit is conditional upon the payment by the permittee of an annual operation fee, as required by that Section and rules adopted thereunder by the Board of Environmental Review.
- I. The department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Phillips shall comply with the conditions contained in this permit while operating in any location in the State of Montana, except within those areas having a department approved permitting program.

PERMIT ANALYSIS  
Phillips Construction  
Permit Number: #3087-00

I. Introduction/Process Description

A. Site Location

The original location is identified as Section 20, Township 21 North, Range 1 West, Cascade County, Montana. Permit #3087-00 applies while operating in any location in the State of Montana, except within those areas having a department-approved permitting program. A Missoula County Air Quality Permit will be required for all locations within Missoula County.

B. Introduction

On January 18, 2000 Phillips submitted a complete permit application for the operation of a portable 1995 Protec Enviro-1047J (10" x 47") Jaw crusher, serial #1047PEJ004 (maximum capacity 100 TPH); a 1996 Kolberg Pioneer (4' x 8') two-deck screen, serial #201271B304096 (maximum capacity 350 TPH); a 1994 John Deere diesel generator (82 kw); a 1996 John Deere diesel generator (82 kw); and associated equipment.

C. Process Description

The gravel material is loaded into a hopper and transported, by a conveyor, to a two-deck screen. Materials are sorted by the screen, with the properly sized material conveyed to a stockpile. Any oversized material is sent to the crusher for further processing. From the crusher, the material is recycled back, by a conveyor, to the screen plant and ultimately sent to the stockpile for use in construction operations.

II. Applicable Rules and Regulations

The following are partial quotations of some applicable rules and regulations which apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available upon request from the department. Upon request, the department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Sub-Chapter 1, General Provisions, including, but not limited to:

1. ARM 17.8.105, Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the department.
2. ARM 17.8.106, Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, MCA.

Phillips shall comply with all requirements contained in the Montana Source Testing Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Testing Protocol and Procedures Manual is available from

the department upon request.

3. ARM 17.8.111, Circumvention. No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate an air pollution control regulation. No equipment that may produce emissions shall be operated or maintained in such a manner that a public nuisance is created.

B. ARM 17.8, Sub-Chapter 2, Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210, Ambient Air Quality Standards for Sulfur Dioxide;
2. ARM 17.8.211, Ambient Air Quality Standards for Nitrogen Dioxide;
3. ARM 17.8.212, Ambient Air Quality Standards for Carbon Monoxide;
4. ARM 17.8.220, Ambient Air Quality Standard for Settled Particulate; and
5. ARM 17.8.223, Ambient Air Quality Standard for PM-10.

Phillips must comply with the applicable ambient air quality standards.

C. ARM 17.8, Sub-Chapter 3, Emission Standards, including, but not limited to:

1. ARM 17.8.304, Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged to an outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over six (6) consecutive minutes.
2. ARM 17.8.308, Particulate Matter, Airborne. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over six (6) consecutive minutes.
3. ARM 17.8.340, Standard of Performance for New Stationary Sources. The owner or operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, shall comply with the standards and provisions of 40 CFR Part 60. The 1995 Protec Enviro-1047J (10" x 47") jaw crusher, the 1996 Kolberg Pioneer two-deck screen, and any other affected equipment manufactured on or after August 31, 1983, are subject to NSPS requirements (40 CFR Part 60, Subpart A, General Provisions, and Subpart OOO, Non-Metallic Mineral Processing Plants).

D. ARM 17.8, Sub-Chapter 5, Air Quality Permit Application, Operation and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504, Air Quality Permit Application Fees. Phillips shall submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the department. Phillips has submitted the appropriate permit application fee.
2. ARM 17.8.505, Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the department. This operation fee is based on the actual or estimated amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, as described above, shall take place on a calendar-year basis. The department may insert into any final permit issued after the effective date of these rules such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions which pro-rate the required fee amount.

- E. ARM 17.8, Sub-Chapter 7, Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:
1. ARM 17.8.704, General Procedures for Air Quality Pre-construction Permitting. An air quality pre-construction permit shall contain requirements and conditions applicable to both construction and subsequent use of the permitted equipment.
  2. ARM 17.8.705, When Permit Required--Exclusions. Permits are required for crushing operations that have the potential to emit greater than five (5) tons/year of any pollutant. The permitted crushing plant has the potential to emit more than five (5) tons per year of particulate matter, PM10, NOx, and CO; therefore, a permit is required.
  3. ARM 17.8.706, New or Altered Sources and Stacks, Permit Application Requirements. This rule requires that an application for an air quality permit be submitted for a new or altered source or stack. Phillips has submitted the proper application for this permitting action.
  4. ARM 17.8.710, Conditions for Issuance of Permit. This rule requires that the source demonstrate compliance with applicable rules and standards before a permit can be issued. Also, a permit may be issued with such conditions as are necessary to assure compliance with all applicable rules and standards. Phillips has demonstrated compliance with applicable rules and standards as required for permit issuance.
  5. ARM 17.8.715, Emission Control Requirements. Phillips is required to install on a new or altered source the maximum air pollution control capability which is technically practicable and economically feasible, except a Best Available Control Technology (BACT) shall be utilized. The required BACT analysis is included in Section IV of this permit analysis.
  6. ARM 17.8.716, Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the department at the location of the source.
  7. ARM 17.8.717, Compliance with Other Statutes and Rules. This rule states that the issuance of this permit does not relieve the permit holder of the responsibility of complying with any other applicable federal and Montana rules and standards.
  8. ARM 17.8.720, Public Review of Permit Applications. This rule requires that Phillips notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. Phillips submitted an affidavit of publication on January 18, 2000, from the

Great Falls Tribune, for the current permit action.

9. ARM 17.8.731, Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than one (1) year after the permit is issued.
  10. ARM 17.8.733, Modification of Permit. An air quality permit may be modified for changes in any applicable rules and standards adopted by the board or changed conditions of operation at a source or stack which do not result in an increase in emissions because of those changed conditions of operation. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.
  11. ARM 17.8.734 Transfer of Permit. An air quality permit may be transferred from one location to another if written notice of intent to transfer is sent to the department.
- F. 17.8, Sub-Chapter 8, Prevention of Significant Deterioration (PSD), including, but not limited to:
1. ARM 17.8.801, Definitions. This rule is a list of applicable definitions used in this sub-chapter.
  2. ARM 17.8.818, Review of Major Stationary Sources and Major Modification--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the Federal Clean Air Act that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source because it is not listed and does not have the potential to emit more than 250 tons per year (excluding fugitive emissions) of any air pollutant.

### III. Emission Inventory – Permit #3087-00

Source	tons/yr					
	TSP	PM-10	NOx	VOC	CO	SOx
1995 (10" x 47") Protec Jaw Crusher (100 TPH)	1.10	0.53	0	0	0	0
1994 (4' x 8') Kolberg Pioneer 2-Deck Screen (350 TPH)	24.14	11.50	0	0	0	0
John Deere Diesel Generator (82 kw)	1.06	1.06	14.93	1.19	3.22	0.99
John Deere Diesel Generator (82 kw)	1.06	1.06	14.93	1.19	3.22	0.99
Material Transfer	12.70	6.13	0	0	0	0
Bulk Loading	4.60	2.19	0	0	0	0
Pile Forming	4.60	2.19	0	0	0	0
Haul Roads	2.74	1.23	0	0	0	0

Total	52.00	25.89	29.86	2.38	6.44	1.98
PSD	27.36					

- A complete emission inventory for **permit #3087-00** is on file with the department.

#### IV. Best Available Control Technology (BACT) Analysis

A Best Available Control Technology (BACT) determination is required for any new or altered source. Phillips shall install on the new or altered source the maximum air pollution control capability which is technologically practicable and economically feasible, except that Best Available Control Technology shall be used.

All visible emissions from the 1995 (10" x 47") Protec Enviro-1047J Jaw crusher (100 TPH) are limited to 15% opacity. In addition, all visible emissions from the 1996 (4' x 8') Kolberg Pioneer two-deck screen (350 TPH), and any other affected equipment manufactured after August 31, 1983 are limited to 10% opacity. All visible emissions from any other associated equipment manufactured prior to August 31, 1983, are limited to 20% opacity. In addition, Phillips must take reasonable precautions to limit the fugitive emissions of airborne particulate matter from haul roads, access roads, parking areas, and general plant property. Phillips shall use water spray bars and/or dust suppressant, as necessary, to maintain compliance with the opacity and reasonable precautions limitations. The department has determined that using water spray bars and/or dust suppressant to maintain compliance with the opacity requirements and reasonable precautions limitations constitutes BACT for these sources.

The control options selected have controls and control costs similar to other recently-permitted similar sources and are capable of achieving the appropriate emission standards.

#### V. Existing Air Quality

Permit #3087-00 is issued for the operation of a portable crushing plant to be located in Section 20, Township 21 North, Range 1 West, in Cascade County, Montana. Permit #3087-00 will cover the operation when operating at any location within the state of Montana, excluding those counties that have a state-approved permitting program. In the view of the department, the amount of controlled emissions generated by this project will not exceed any ambient air quality standard. In addition, this source is portable and any air quality impacts will be minimal.

#### VI. Takings or Damaging Analysis

As required by 2-10-101 through 105, MCA, the department has conducted a private property taking and damaging assessment and has determined there are no taking or damaging implications.

#### VII. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act, was completed for this project. A copy is attached.

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Permitting and Compliance Division  
Air and Waste Management Bureau  
P.O. Box 200901, Helena, Montana 59620  
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued For: Phillips Construction  
P.O. Box 210  
Black Eagle, MT  
59414

Air Quality Permit Number: #3087-00

Preliminary Determination Issued: 2/24/00  
Department Decision Issued: 3/13/00  
Final Permit Issued: 3/29/00

Montana Environmental Policy Act (MEPA) Compliance: An environmental assessment required by MEPA, was completed for this project as follows.

Legal Description of Site: This permit is for the operation of a portable crushing/screening plant to originally be located in Section 20, Township 21 North, Range 1 West, in Cascade County, Montana.

Description of Project: Phillips Construction proposes to use this crushing/screening plant and associated equipment to crush and sort sand and gravel materials for use in construction operations.

Benefits and Purpose of Proposal: Increased business and revenue for the company.

Description and analysis of reasonable alternatives whenever alternatives are reasonably available and prudent to consider: No reasonable alternatives available.

A listing and appropriate evaluation of mitigation, stipulations and other controls enforceable by the agency or another government agency: A list of enforceable conditions, including a Best Available Control Technology analysis, is contained in Permit #3087-00.

Description and analysis of regulatory impacts on private property rights: The department has considered alternatives to the conditions imposed in this permit as part of the permit development. The department has determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.

### Potential Impact on Physical Environment

		Major	Moderate	Minor	None	Unknown	Comments Included
1	Terrestrial and Aquatic Life and Habitats			X			yes
2	Water Quality, Quantity and Distribution			X			yes
3	Geology and Soil Quality, Stability and Moisture			X			yes
4	Vegetation Cover, Quantity and Quality			X			yes
5	Aesthetics			X			yes
6	Air Quality			X			yes
7	Unique Endangered, Fragile or Limited Environmental Resource				X		yes
8	Demands on Environmental Resource of Water, Air and Energy			X			yes
9	Historical and Archaeological Sites				X		yes
10	Cumulative and Secondary Impacts			X			yes

### Potential Impact on Human Environment

		Major	Moderate	Minor	None	Unknown	Comments Included
1	Social Structures and Mores				X		yes
2	Cultural Uniqueness and Diversity				X		yes
3	Local and State Tax Base and Tax Revenue			X			yes
4	Agricultural or Industrial Production			X			yes
5	Human Health			X			yes
6	Access to and Quality of Recreational and Wilderness Activities			X			yes
7	Quantity and Distribution of Employment				X		yes
8	Distribution of Population				X		yes
9	Demands for Government Services			X			yes
10	Industrial and Commercial Activity			X			yes
11	Locally Adopted Environmental Plans and Goals				X		yes
12	Cumulative and Secondary Impacts			X			yes

SUMMARY OF COMMENTS ON POTENTIAL IMPACTS: The following comments have been prepared by the Department.

#### POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

1. Terrestrial and Aquatic Life and Habitats

Terrestrials will use the areas in which the crusher operations occur. However, the crusher operations alone will present only minor affects to the terrestrial life.

2. Water Quality, Quantity and Distribution

Water will be used as pollution control, but will only cause a minor disturbance to the area. No surface water or ground water quality problems are expected as a result of using water for pollution control. Any accidental spills or leaks from equipment will be handled according to the appropriate environmental regulations in an effort to minimize any potential adverse impact on the immediate and surrounding area.

3. Geology and Soil Quality, Stability and Moisture

The soils in the affected pit area will be impacted by the crusher operations. The impacts will be minor due to the portable and temporary nature of the operation.

4. Vegetation Cover, Quantity and Quality

Existing vegetative cover will be affected by the proposed project. However, any impact will be minor due to the portable and temporary nature of the operation.

5. Aesthetics

The crusher operations will be visible and will create additional noise in the area. Permit #3087-00 includes conditions to control emissions (including visible emissions) from the plant. Since the crusher operations are temporary, any aesthetic impact will be minimal.

6. Air Quality

The air quality impacts from the crusher operations are minor. Permit #3087-00 includes conditions limiting the opacity from the plant, as well as requiring water spray bars and other means to control air pollution.

7. Unique Endangered, Fragile or Limited Environmental Resources

The department has contacted the Montana Natural Heritage Program (MNHP) in an effort to identify any species of special concern that may be found in the proposed area. Search results have concluded there are no such environmental resources on file for the area. Area, in this case, will be defined by the township and range of the proposed site, with an additional one-mile buffer.

8. Demands on Environmental Resource of Water, Air and Energy

The crusher operations will only demand small quantities of water, air, and energy for

proper operation. Generally, the operations are seasonal, which result in smaller demands on the environmental resources.

9. Historical and Archaeological Sites

Crusher operations will take place within a previously disturbed industrial open-cut pit. According to the Montana State Historic Preservation Office, there is low likelihood of disturbance to any known archaeological or historic site given any previous industrial disturbance in the area. Therefore, the crusher operation will not have an adverse affect on any known historic or archaeological site.

10. Cumulative and Secondary Impacts

The crusher operations will cause a minor affect to both the physical environment and human environment. There is potential for other operations to locate at this site. However, any operations will have to apply for and receive the appropriate permits from the department prior to operation. This permit will address the environmental impacts associated with the operations at the proposed site. The crusher operations are limited by Permit #3087-00 to total particulate emissions of 250 tons/year or less from non-fugitive crusher operations and any other additional equipment used at any given site.

POTENTIAL IMPACT ON HUMAN ENVIRONMENT

1. Social Structures and Mores

In the view of the department, the crusher operation will cause no disruption to native or traditional lifestyles or communities in the proposed area of operation

2. Cultural Uniqueness and Diversity

In the view of the department, the crusher operations will not have an adverse impact on the cultural uniqueness and diversity of the proposed area of operation.

3. Local and State Tax Base and Tax Revenue

The proposed crusher operations will have little, if any, affects on local and state tax base and tax revenue. The facility is a temporary source and, therefore, will not remain at any individual site for a substantial period of time.

4. Agricultural or Industrial Production

The crushing operations will take place within a previously disturbed industrial area. Therefore, the department does not expect that the permitted operation will adversely affect or displace any agricultural land.

In addition, the crushing operations are small by industrial standards and will, therefore, have only a minor impact on any local industrial production.

5. Human Health

Permit #3087-00 incorporates conditions to ensure that the crusher operations will be operated in compliance with all applicable rules and standards. These rules and standards are designed to be protective of human health.

6. Access to and Quality of Recreational and Wilderness Activities

The crusher operations will not affect any access to recreational and wilderness activities. However, minor affects to the quality of recreational activities may be created by the noise from the site. Any impacts from the site will be minor and temporary due to the portable nature of the crusher operations.

7. Quantity and Distribution of Employment

Given the relatively small size and temporary nature of the operation, the activities from the crusher operations will not affect the quantity and distribution of employment in the area. Phillips will use a few company employees for the duration of the project.

8. Distribution of Population

Given the relatively small size and temporary nature of the operation, the activities from the crusher operations will not disrupt the normal population distribution in the area.

9. Demands of Government Services

Minor increases will be seen in traffic on existing roads in the area while the crusher operations are in progress. In addition, government services will be required for acquiring the appropriate permits from government agencies. Demands for government services will be minimal.

10. Industrial and Commercial Activity

The crusher operations represent only a minor increase in the industrial activity in any given area. No additional industrial or commercial activity is expected as a result of the crusher operations.

11. Locally Adopted Environmental Plans and Goals

The department is not aware of any locally adopted environmental plans or goals. The state standards will protect the proposed site and the environment surrounding the site.

12. Cumulative and Secondary Impacts

The crusher operations will cause a minor affect to both the physical environment and human environment. There is potential for other operations to locate at this site. However, any operations will have to apply for and hold the appropriate permits from the department prior to operation. These permits will address the environmental impacts associated with the operations at the proposed site. The crusher operations are limited by permit #3087-00 to total particulate emissions of 250 tons/year or less from non-fugitive crusher operations and any other additional equipment used at the site.

Recommendation: No EIS is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: Since this plant is a portable source, there will not be any significant impact. Permit #3087-00 includes conditions and limitations, which, if properly applied, will safeguard any potential environmental threat created by the proposed crushing operation.

Other groups or agencies contacted or which may have overlapping jurisdiction: Department of Environmental Quality Permitting and Compliance Division (Air and Waste Management Bureau and Industrial and Energy Minerals Bureau); State Historic Preservation Office

(Montana Historical Society), and Montana Natural Heritage Program.

Individuals or groups contributing to this EA: Department of Environmental Quality Permitting and Compliance Division (Air and Waste Management Bureau and Industrial and Energy Minerals Bureau); State Historic Preservation Office (Montana Historical Society), and Montana Natural Heritage Program.

EA prepared by: Ron Lowney  
Date: February 10, 2000.