

Love's Travel Stop & Country Stores, Inc.

Montana Department of Environmental
Quality

Draft Environmental Assessment for Public
Wastewater System Review (Project Number
#18-2091)

And

Supplemental Draft Environmental
Assessment for New Underground Storage
Tanks (Permit No. 18-0116)

September 9, 2020

Love's Travel Stop, Ramsay, Montana

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY

Introduction: Love's Travel Stop & Country Stores, Inc. (Love's) has applied for permits to the Montana Department of Environment Quality (Department) for eight new underground storage tanks (UST) and a new public wastewater system, utilizing lagoons for treatment and spray irrigation for disposal. In June 2019, the Department released a Environmental Assessment (UST EA) for public comment that assessed potential environmental impacts associated with installation of the USTs at Love's. The Department determined to join the UST EA and the public wastewater system EA as specified in Administrative Rules of Montana (ARM) 17.4.627. The UST draft EA and the responses to the substantive public comments received on the UST draft EA are provided in Appendix A, which is attached to this joint EA and is incorporated herein by this reference. The portion of this joint EA that assesses potential impacts arising from installation of the USTs at Love's is a supplement to the UST EA provided in Appendix A.

Name of Project: Love's Travel Stop-Ramsay

Location of Project: I-90 & Palmer St., Exit 216, Ramsay, MT 59748

City/Town: Ramsay

County: Silver Bow

Project Number: EQ#18-2091 Public Wastewater system review & UST 18-0116

Applicant: Love's Travel Stop & Country Stores, Inc.

Purpose and Need:

This joint EA has been prepared by the Department for the public wastewater application and to install eight (8) new petroleum UST systems for storing and dispensing gasoline, diesel, biodiesel, and diesel exhaust fluid and a new public wastewater system. The proposed public wastewater system would utilize lagoons for treatment and spray irrigation for disposal at Love's Travel Stop- Ramsay. The purpose of the permit application is to receive Department approval for the public wastewater system and UST systems that would serve the proposed Love's Travel Stop in Ramsay, Montana.

Description of Project:

New Public Wastewater System

The application under review by the Department involves a lined primary facultative lagoon cell with a surface area of 26,339 ft² (0.605 Acre); a lined secondary polishing and storage lagoon cell with a surface area of 73,760 ft² (1.693 Acre); and an irrigation area of 3.88 Acres, including irrigation pump, weather station with rain and wind sensors, collection system, and required appurtenances. The proposed projected wastewater treatment system is part of the proposed Love's Travel Stop Ramsay, located at I-90 & Palmer St, Exit 216, Ramsay, MT 59748.

New Underground Storage Tanks

Tank(s): This project involves installing the following eight (8) tanks: 30,000-gallon regular unleaded, 12,000-gallon regular unleaded, 8,000-gallon Premium Gasoline, 30,000-gallon Diesel (B20), 30,000-gallon Diesel (B20), 30,000-gallon Diesel (B20), 20,000-gallon Bio-Diesel (B99), and 20,000-gallon DEF. All eight tanks will be Xerxes Fiberglass Reinforced Plastic (FRP) double-walled UST systems. All tanks will be utilized by Love's Travel Stop Ramsay as a petroleum re-fueling site and truck stop. Piping: All product piping associated with this project would be Franklin Fueling Systems UPP secondary contained double-walled electrofusion semi-rigid pipe. Approximately 3,200 feet of double-walled Franklin Fueling Systems UPP piping would be utilized in this project. Sumps: BRAVO systems model B-487-X-3638 fiberglass tank-top sumps will be installed around each tank's submersible turbine pump. BRAVO Products FRP under-dispenser containment sumps will be installed under each dispenser. Each tank and piping system would be continuously monitored. Monitoring would be accomplished via internal tank probes, interstitial tank sensors, as well as continuous sensor monitoring in all containment sumps and electronic line leak detection with programmed 0.2 gph shutdown rate for each of the piping runs. A Franklin Fueling Systems TS-5000 EVO automatic tank gauge (ATG) would continuously monitor all operational parameters.

Products to be stored: Regular Unleaded Gasoline (87 octane), Premium Gasoline (92 Octane), Diesel, Biodiesel, and Diesel Exhaust Fluid (DEF).

Comment Period

Thirty (30) calendar days beginning on September 8, 2020 and ending on October 8, 2020.

Agency Action and Applicable Regulations:

ARM Title 17, Chapter 38, Sub-chapter 101 – Plans for Public Water Supply or Sewage System.

ARM Title 17, Chapter 38, Sub-chapter 106 – Fees.

DEQ Design Circulars:

DEQ-2, 2016 Edition, Design Standards for Public Sewage Systems

ARM Title 17, Chapter 38, Sub-chapter 249- Certified Operator and Designated Contact Person

Montana Underground Storage Tank Act, 75-11-501 MCA, *et seq.*

Montana UST Installer and Inspector Licensing and Permitting Act, 75-11-201 MCA, *et seq.*

ARM Title 17, Chapter 56, sub-chapters 1 through 16 - Montana DEQ UST regulations

Affected Environment & Impacts of the Proposed Action:

Y = Impacts may occur.

N = Not present or No significant impact expected.

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 surface water or groundwater discharges are proposed for the site. No development of steep slopes is proposed. There are no known special reclamation considerations for the project site, nor were any fragile or unstable soils identified in the area of the Proposed Action.</p> <p>A few acres of temporary soil disturbance would occur during construction of the wastewater lagoon cells and utilities. The Department requires construction sites with greater than 1 acre of disturbance to obtain a Storm Water Pollution Prevention Plan (SWPPP) utilizing Best Management Practices (BMP). The submitted plans and specifications would require the SWPPP and BMP installation, operation and maintenance by the contractor during construction. The Department requires BMPs to be operated and maintained until the site has been 70% restored/revegetated to pre-construction conditions. The SWPPP and BMPs would prevent erosion by slowing and minimizing surface flow during construction activities and by retaining sediment so that the sediment does not leave the site where it may reach surface water.</p> <p>Regarding long-term effluent application in the land application (spray irrigation) area, soils would be tested annually to track nutrient levels. The Department requires a Certified Wastewater Operator to operate and sample this facility. Soil disturbances and storm water runoff during construction are regulated under MPDES Authorization MTR107235 (General Permit for Storm Water Discharges Associated with Construction Activity).</p> <p>No significant adverse impacts to geology, soil quality or stability are expected because of construction or spray irrigation.</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?

[N] There is no significant surface water within 0.5 mile of the proposed underground storage tank installation. The proposed site lies within the Upper Clark Fork watershed. No water discharges to groundwater or surface water are proposed as a part of this proposal. Therefore, no impact would be made to water quality. Wastewater effluent would be spray irrigated on pasture grass crops at agronomic rates, so that nutrients are fully utilized by the vegetation. The maximum monthly hydraulic loading rate of the proposed irrigation system would not exceed the maximum soil permeability rate in Department design standards, and the maximum monthly nitrogen loading rate would not exceed the maximum crop nutrient uptake in Department design standards. These design standards ensure that the soil would be able to accept all the wastewater applied and that 100% of the nitrogen would be taken up by the crops.

The Department requires any facility operating a spray irrigation system to sample effluent water quality samples each year to verify application of effluent at agronomic rates, based on the pasture grass crop proposed. Soils would be sampled to ensure nutrient levels do not increase. Sample results are public information, which must be made available to DEQ and interested parties. Leakage from the lagoon would be minimized by modern construction techniques and materials. In addition, prior to use, the lagoons must be leak-tested. Drillings in the area where the lagoons would be sited showed groundwater at depths greater than 40 feet below grade, which is significantly deeper than the bottom of the lagoons. Should any unanticipated leakage occur, this depth would provide additional treatment to the effluent before reaching groundwater. Further, incidental leakage from lagoons and land application of sewage at agronomic rates is statutorily nonsignificant for nondegradation purposes under § 75-5-317, MCA, because of its low potential for harm to human health and the environment.

No flood plain or wetland is present within the proposed project area.

Protection of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality is mitigated by secondarily contained non-corroding UST systems and continuous tank and piping system monitoring. Proper operation of each UST system would significantly decrease the potential for violation of ambient water quality standards, drinking water

IMPACTS ON THE PHYSICAL ENVIRONMENT	
	<p>maximum contaminant levels, and the degradation of water quality. Secondary containment and leak detection systems serve to mitigate the potential impacts of each UST system by immediately reducing the amount of fuel available for release to the environment and by making early detection of releases possible.</p>
<p>3. AIR QUALITY: Will pollutants or particulates be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?</p>	<p>[N] No significant adverse impacts to air quality are expected as a result of the proposed wastewater lagoons and spray irrigation facilities. Impacts on air quality resulting from issuance of PWS approval would be short-term due to construction of the facility. Minimizing dust and soils tracking outside the proposed development would be covered in the SWPPP and associated BMPs.</p> <p>The effluent spray irrigation system would operate within required setback distances. Wind monitors would shut down the spray irrigation system if winds exceeded 20 miles per hour.</p> <p>The potential UST petroleum vapors would be mitigated by natural air currents, submerged fill pipes, stage-one vapor recovery system and vapory recovery vent pipes would control hydrocarbon vapors.</p> <p>The proposed project site is not located in a Class I airshed. The closest Class I airshed is located at least 35 miles away from the project site (Anaconda-Pintler Wilderness).</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] No significant adverse impacts to vegetative communities are expected as a result of the proposed project. The proposed is located in a half irrigation pivot of a cultivated crop and rangeland.</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] No significant adverse impacts are expected to important wildlife, birds or fish. The proposed project area is in an area with anthropogenic activities. North of the proposed project area is Interstate 90 and Exit 216, to the west is the 40 residential properties of the community of Ramsay, east is a livestock auction business and to the south are the facilities associated with the Port of Montana. The proposed project area could be used for transient wildlife, but the area would not be supporting a habitat for wildlife due to the surrounding human presence and activities. In addition, most of the site is actively cultivated.</p>

IMPACTS ON THE PHYSICAL ENVIRONMENT	
<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] "[N] Please see the response to Terrestrial, Avian and Aquatic Life and Habitats above."</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: http://dnrc.mt.gov/divisions/cardd/sage-grouse? 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>	<p>[N] The Department has verified the facility is not within core, general, or connectivity sage grouse habitat. The project site is not in the core, general, or connective sage grouse habitat areas as designated by the Montana Sage Grouse Habitat Conservation Program.</p>

IMPACTS ON THE PHYSICAL ENVIRONMENT

8. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?

[N] A file search was conducted by SHPO on June 10, 2020 and no impacts to cultural uniqueness and diversity are expected due to the Proposed Action. Montana State Historic Preservation Office (SHPO) conducted a resource file search for Section 14, Township 3 North, and Range 9 West, which indicated there have been a few previously recorded sites within the designated search locales. In addition to the sites, there has been one previously conducted cultural resource inventory done in the area. Based on the proposed project disturbances in Section 14, Township 3 North, Range 9 West, SHPO determined that as long as there will be no disturbance or alteration to structures over fifty years of age, there is a low likelihood cultural resources would be impacted. SHPO is not recommending a cultural resource inventory for the proposed project. Should structures over 50 years old need to be altered or if cultural materials are discovered during this project, SHPO requests that the alteration and/or discovery be promptly reported, and the site investigated further.

IMPACTS ON THE PHYSICAL ENVIRONMENT

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 visual impacts are expected from the proposed wastewater lagoons and spray irrigation facilities under review by the Department. The facilities may be visible from some nearby locations. The farther a viewer is from the lagoons, the visual impact would be less. The construction of the UST could be visible to viewers in the vicinity of the project. The appurtenant above-ground equipment associated with the operation of the UST would be visible in the immediate vicinity of the project.

No significant odor impacts are expected from the proposed wastewater lagoons. The proposed facultative lagoons would emit odor, especially when the lagoons turned over in the spring and fall. However, the lagoons would be located approximately 1400 feet to the east of Ramsay. According to wind maps from Western Regional Climate Center, the prevailing wind direction is north during April, May, June and July and south during the other months, meaning the prevailing wind direction would be away from the town. Additionally, any odors associated with the lagoons would not be out of character with the area, as they would be adjacent to the feedlot of the Montana Livestock Auction.

Construction of the proposed facilities would cause some short-term noise, but no significant noise is expected from the operation of the facilities. No lighting has been proposed for the public wastewater facility under review by the Department.

Aesthetic impacts caused by the development and occupation of the travel stop, such as issues involving light and noise pollution, are not direct or secondary impacts of the facilities under review by the Department. Direct impacts of issuing the UST and public wastewater permits are impacts arising from the installation and continued operation and maintenance of these facilities. Secondary impacts are further impacts to the human environment that may be stimulated or induced by or otherwise result from a direct impact. ARM 17.4.603(18).

IMPACTS ON THE PHYSICAL ENVIRONMENT	
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 irrigated effluent would be pumped and disinfected. Therefore, there would be a short-term increase in energy use while irrigation is being implemented.
11. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	[N] The proposed wastewater lagoons and spray irrigation facilities under review would not use existing environmental resources in the local area.

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?	<p>[N] The proposed wastewater lagoons, spray irrigation area, and the 50-ft setback area would be fenced and locked to prohibit human entry. Wind monitors would shut down the spray irrigation system during periods of high wind. Before disposal, the effluent would be disinfected by ultraviolet light. No impacts are expected.</p> <p>It is anticipated that natural air currents and tank vents will dissipate hydrocarbon vapors to a safe level. Leak detection equipment is designed to detect releases before serious health or safety problems occur. Proper operation of leak detection systems and operating requirements mitigate potential risks by making early detection of releases possible and by immediately reducing the amount of fuel available to be released into the environment, where it could impact health and human safety.</p>
13. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] The proposed UST, wastewater lagoons and spray irrigation facilities under review by the Department are not expected to alter industrial, commercial, and agricultural activities and production in the area. The proposed lagoons would remove a few acres of privately-owned hay ground from production. The area used by the proposed spray irrigation facilities would remain under production and would be used for cattle grazing.

IMPACTS ON THE HUMAN ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
14. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.	[N] A certified wastewater operator would be required to operate the wastewater facilities, and some temporary construction jobs would be created. During the UST installation, there would be temporary construction jobs created.
15. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[N] Operation of the wastewater system is not expected to impact the tax base. In addition, fees to the state and local government are required to apply for public wastewater approval and other development permits. However, these fees are not significant.
16. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?	<p>[N] Construction and operation of the UST and wastewater utilities are not expected to result in direct or secondary impacts on schools or police government services. Other impacts on government services caused by the development and operation of the truck stop itself are not direct or secondary impacts of the wastewater facilities under review by the Department.</p> <p>Construction of the proposed UST and wastewater facilities would have some impact on local roadways and services, but the Department does not expect that any impact would be significant. Traffic generated by the construction of the proposed systems would be limited in severity, duration, and frequency, since the impact would cease as soon as construction was completed.</p>
17. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	<p>[Y]</p> <p>The proposed project and associated development are expected to be in conformance with current Silver Bow County zoning requirements. A zoning map is on page 39 of the attached Response to Comment on the UST EA in Appendix A. There are no other known local, county, state, or federal environmental management plans that would impact this project development.</p>
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 designated recreational properties are located within the project area. It is not anticipated that this project site has recreational potential.

IMPACTS ON THE HUMAN ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
19. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[N] The proposed UST systems and wastewater lagoons and spray irrigation facilities under review by the Department are not expected to have any impact on the density and distribution of population and housing. Impacts caused by the construction and operation of the travel stop itself are not direct or secondary impacts of the facilities under review by the Department.
20. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] The proposed wastewater lagoons and spray irrigation facilities would not be out of character with the surrounding area. They would be located adjacent to the feedlot of the Montana Livestock Auction, and the town of Ramsay is served by its own facultative wastewater lagoons. The area used for spray irrigation would remain in agriculture production and would be grazed by cattle. Impacts from the travel stop itself are not direct or secondary impacts of the proposed facilities under review by the Department. Direct impacts of issuing the UST and public wastewater permits are impacts arising from the installation and continued operation and maintenance of these facilities. Secondary impacts are further impacts to the human environment that may be stimulated or induced by or otherwise result from a direct impact. ARM 17.4.603(18).

IMPACTS ON THE HUMAN ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
21. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N] See Social Structures and Mores (20). No impacts to cultural uniqueness and diversity are expected due to the Proposed Action. Montana State Historic Preservation Office (SHPO) conducted a resource file search for Section 14, Township 3 North, and Range 9 West, which indicated there have been a few previously recorded historically significant sites within the designated search locales. In addition, there has been one previously conducted cultural resource inventory in the area. Based on the proposed project disturbances in Section 14, Township 3 North, Range 9 West, SHPO determined that as long as there will be no disturbance or alteration to structures over fifty years of age, there is a low likelihood that cultural resources would be impacted. SHPO determined that a cultural resource inventory is unwarranted at this time. Should historic structures be altered or cultural materials be discovered during this project, SHPO requests that they be contacted, and the site investigated.
22. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	[N] See Social Structures and Mores (20).
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]

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

24. Description of and Impacts of other Alternatives Considered:

Wastewater disposal system alternatives:

1. No action alternative. Under this alternative, the UST and public wastewater systems would not be installed, and no impacts would occur. The no action alternative is required under MEPA to describe what would happen if the proposed wastewater and UST facilities were not to receive Department approval. The proposed facilities meet all requirements of the Montana public water supply laws, associated administrative rules, and applicable design circulars, and the Montana Underground Storage Tank Act and its implementing rules. Therefore, the Department will approve the facilities and this alternative will not be implemented.
2. Agency-modified alternatives. The Department eliminated from consideration alternatives that would involve the construction of facilities not proposed by the applicant. Such alternatives are outside the needs and goals of the applicant, and MEPA does not require the consideration of alternative facilities or an alternative to the proposed project itself. Section 75-1-220(1), MCA.

Additionally, the Department did not consider an alternative of connecting the proposed development to Ramsay’s wastewater treatment and disposal system, as the Department is aware that the town of Ramsay would not allow the proposed development to connect to the town’s system. The Department also did not consider an alternative of installing a subsurface drainfield for discharge of wastewater to the groundwater, which would involve the discharge of nutrients to groundwater that could reach Silver Bow Creek.

No modified alternatives to UST installation were proposed or considered.

25. Summary of Magnitude and Significance of Potential Impacts:

No significant impacts are expected from the proposed UST systems, wastewater lagoons, and spray irrigation facilities under review by the Department, for the reasons stated in this EA.

26. Cumulative Effects:

Under§ 75-1-208(11), MCA, an agency shall, when appropriate, evaluate the cumulative impacts of a proposed project. Cumulative impacts are the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when these actions are under concurrent consideration by any agency through preimpact statement studies, separate impact statement evaluations, or permit processing procedures.

No significant adverse cumulative impacts are expected to occur from the proposed storm water, or wastewater facilities. As discussed throughout this EA, the proposed storm water permit requirements would minimize offsite runoff, and the proposed wastewater facilities would not increase nutrient discharge in the area. Cumulative impacts related to the construction and operation of the proposed facilities is not a significant adverse change from the current commercial development in the area. Cumulative impacts related to the development and use of the proposed project are not direct or secondary impacts of the proposed storm water or wastewater facilities.

The installation of the proposed UST systems has the potential to impact water quality and air quality on and around the project site. Potential impacts to water quality and air quality are mitigated by department regulations, policies, and requirements. Protection of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality is mitigated by secondarily contained non-corroding underground tanks, piping, and continuous system monitoring. Proper operation of the UST systems would significantly decrease the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, and the degradation of water quality. Secondary containment and leak detection systems serve to mitigate the potential impacts by immediately reducing the amount of fuel available for release to the environment and by making early detection of releases possible. Petroleum vapors will be mitigated by natural air currents, submerged fill pipes, stage-one vapor recovery system, and vapor recovery vent pipes will control hydrocarbon vapors. It is anticipated that natural air currents and tank vents will dissipate hydrocarbon vapors to a safe level. Leak detection equipment is designed to detect releases before serious health or safety problems occur. Proper operation of underground tank leak detection systems and operating requirements mitigate potential risks by making early detection of releases possible and by immediately reducing the amount of fuel available to be released into the environment, where it could impact health and human safety.

27. Preferred Action Alternative and Rationale:

The preferred action is to proceed with review of the proposed UST and public wastewater treatment and disposal system, utilizing the design methods proposed by the applicant.

Recommendation for Further Environmental Analysis:

EIS More Detailed EA No Further Analysis

Rationale for Recommendation: The Department has determined that no further analysis is needed. The probability, severity, and extent of any impacts of the proposed UST systems and wastewater lagoons and spray irrigation facilities would be low, as the proposed design would allow wastewater to be disposed without discharge to groundwater or surface water and USTs installed and operated in accordance with the Montana Underground Storage Tank Act and its implementing rules are not likely to release petroleum products to the environment. Aesthetic impacts would be limited in severity, duration, geographic extent, and frequency, for the reasons discussed in this EA. Human health would not be impacted because of the proposed fencing, setbacks, and disinfection of the spray irrigation. The proposed facilities under review would occupy only a few acres of land that are located adjacent to the interstate and the Montana Livestock Auction, so the proposed facilities would not cause significant impacts to environmental resources or values and would not have any growth-inducing or growth-inhibiting aspects. The proposed action would not commit DEQ to future actions with significant impacts and does not conflict with other laws and regulations. Accordingly, the project lacks significant adverse effects to the human and physical environment based on the criteria in ARM 17.4.608, so an environmental impact statement is not required.

28. Public Involvement:

A 30-day public comment period will be held.

29. Persons, agencies and documents consulted in the preparation of this analysis:

- Montana Department of Natural Resources and Conservation, The Montana Department of Justice, and the State Fire Marshall's Office, SHPO, City-County of Butte Silver Bow, Montana Department of Transportation, Montana Department of Environmental Quality Air Quality Bureau.
- Plans, specifications, engineering report submitted to DEQ by WET.
- On-going DEQ review of the proposed project by John McDunn, PE:
 - EQ#18-2091 Public Wastewater system review
- Steven Anderson, WET
- Loves Travel Shop underground storage tanks EA June 25, 2018.

30. Other Potential Permits for the Proposed Project

EA Prepared By:

John McDunn of DEQ Water Quality Division and Seth Hendrix of DEQ Underground Storage Tank Program

Approved By:



Kevin Smith, Chief
Engineering Bureau

September 5, 2020

Date



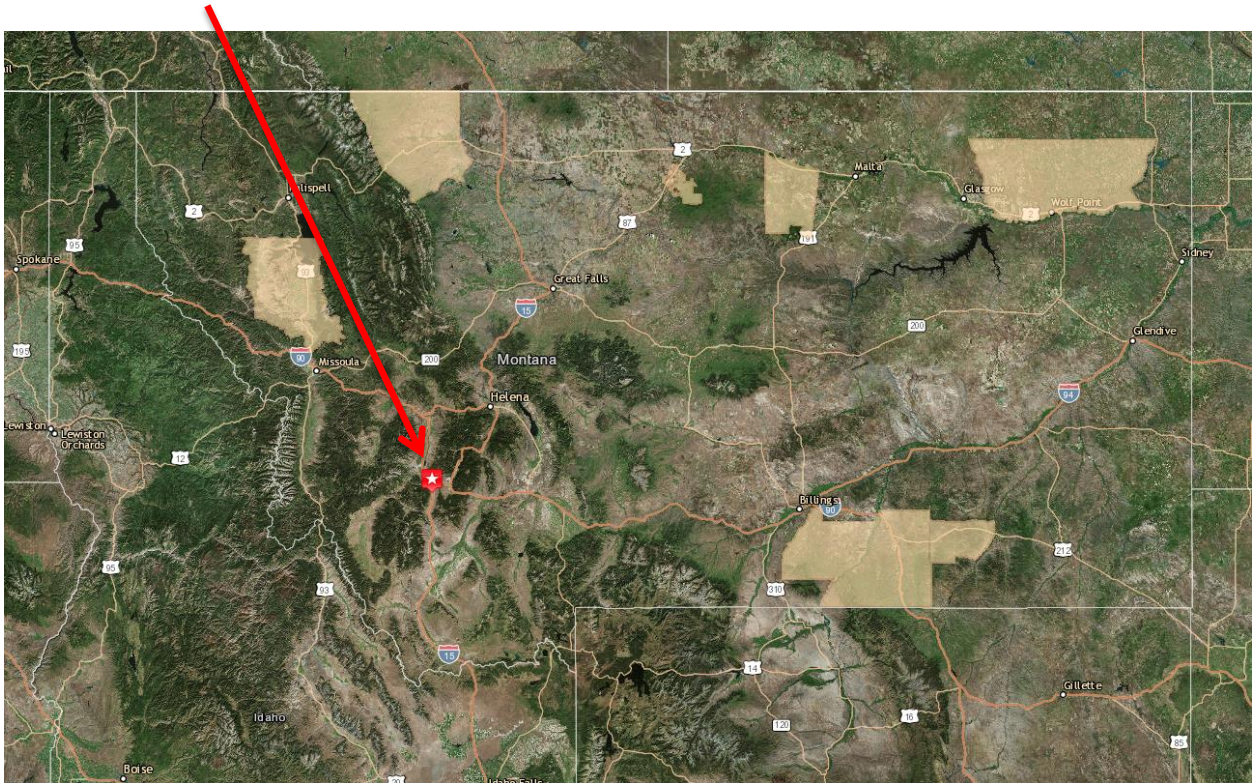
Ed Thamke, Chief
Waste & Underground Tank Management Bureau

September 5, 2020

Date

Figure 1

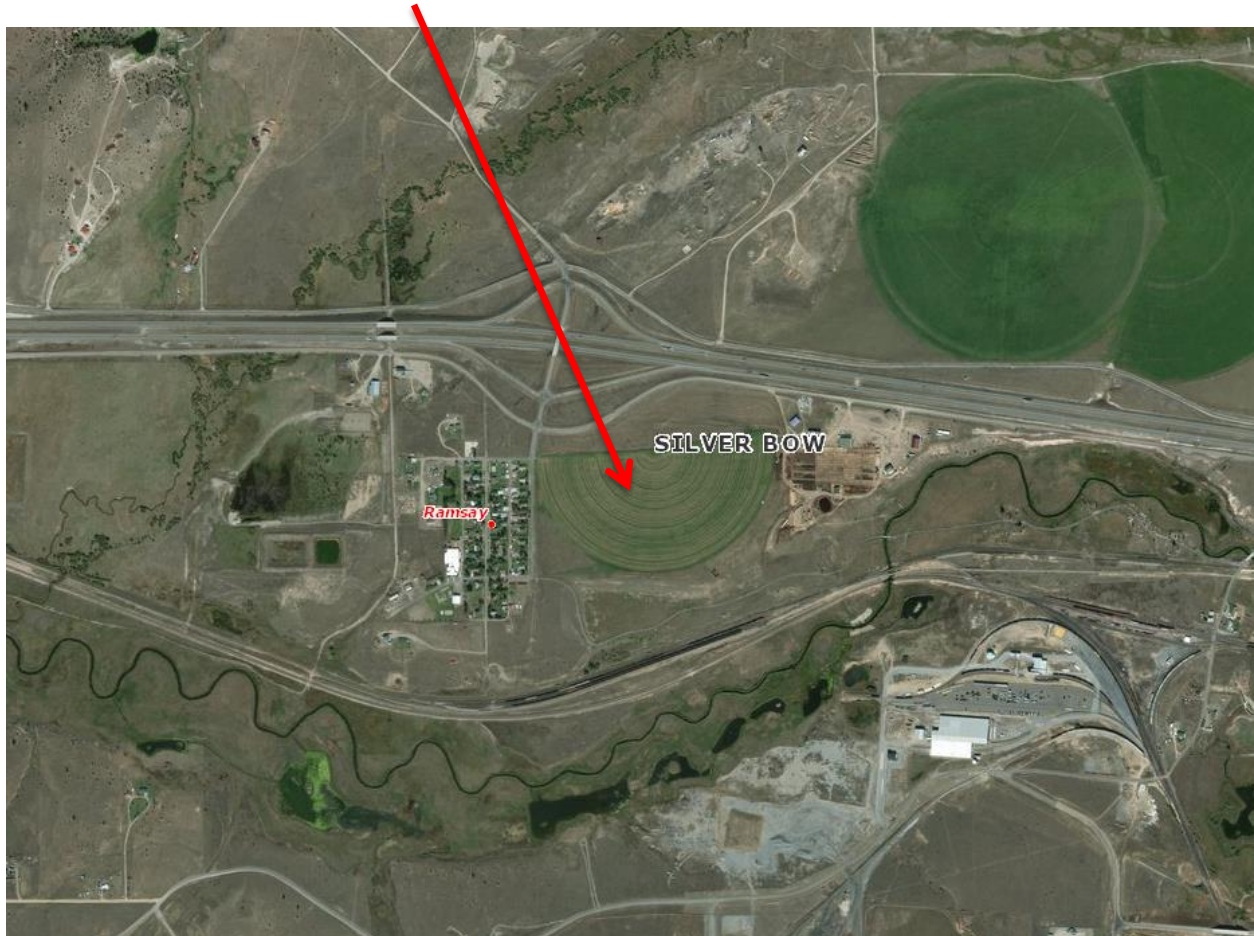
General Project Site Location: Proposed Loves Travel Stop Ramsay Fuel Station/Truck Stop Site



Proposed Project Site Physical Address: I-90 & Palmer St., Exit 216, Ramsay, MT 59748

Figure 2

Detailed Project Site Location: Proposed Loves Travel Stop Ramsay Fuel Station/Truck Stop Site



Proposed Project Site Physical Address: I-90 & Palmer St., Exit 216, Ramsay, MT 59748

Figure 3

Close-up Project Site Location: Proposed Loves Travel Stop Ramsay Fuel Station/Truck Stop Site



Appendix A: June 25, 2019 Montana DEQ UST Program EA and DEQ Responses to Substantive Comments of June 25, 2019 UST program EA

On June 25, 2019, the Montana Department of Environmental Quality (DEQ) underground storage tanks (UST) program published its environmental assessment (EA) assessing impact on the physical and human environment arising from installation and operation of UST systems at the proposed Love’s Travel Stop in Ramsay, Montana (the Facility). This EA was published as Public Notice WMR FY 19-837. Written public comments were originally due July 12, 2019, but DEQ

extended this deadline to July 26, 2019. A copy of the June 25, 2019 UST program EA is attached below.

**Response to Comments on the Environmental Assessment
Prepared for a New Underground Storage Tank Facility (I.D. No. 60-15320)
at Love's Truck Stop, Ramsay, Montana**

This Response to Comments document includes a summary of all significant comments on the UST program EA received during the public comment period and DEQ's response to those comments. During the comment period, DEQ received written comments from individuals and groups, as summarized in Table 1.

DEQ's responses to comments are organized in accordance with the sections of the EA assessing impacts to the physical and human environment. Substantive comments on the EA may be categorized as:

1. concerns that the quality of ground water and surface water may be impacted by leaks from the USTs installed at the Facility;
2. concerns that the Facility is not allowed by current zoning or the Silver Bow County growth policy;
3. concerns that the Facility will impact the Silver Bow Creek/Butte Area Streamside Tailing Federal Superfund site;
4. concerns associated with the storage of petroleum products at the Facility including potential fire hazards and other impacts arising from releases of hazardous substances;
5. concerns associated with storm water management and runoff from the Facility;
6. concerns that air quality may be impacted by the Facility;
7. concerns associated with increased vehicle traffic including public safety and the need for increased police and other government services;
8. concerns that the Facility will diminish the natural and community aesthetic; and
9. concerns that wildlife will be impacted.

Comments that generally oppose the project or that are outside the scope of the project are noted for the record, but, because they are not substantive, they are not specifically responded to and result in no change to the final permit.

An Environmental Impact Statement (EIS) is not being prepared for this state action because no significant impacts, as defined at ARM 17.4.608(1), associated with the proposed action have been identified. See Section 27 of the EA.

Table 1. Persons Submitting Substantive Comments on the UST program EA for UST Facility I.D. No. 60-15320

Number	Commenter
1	Mike Flanick
2	Dan Kraft
3	Dan Callahan
4	Karen Louise Kraft
5	Concerned Citizens/Ramsay Citizens Council
6	Michelle O’Bill Fisher
7	Jennifer Noonan
8	Kimberley Brown/Montana Home Sprout
9	Gary Hammond
10	Kathy Hammond
11	Jim and Gayle Hunt
12	Ramsay County Water and Sewer District
13	Fritz Daily

Table 1. Persons Submitting Substantive Comments on the UST program EA for UST Facility I.D. No. 60-15320	
Number	Commenter
14	Jim Ayers
15	Becky Cowley
16	Mark Lancaster, attorney representing Ramsay Citizens Council

I. EA Comments Related to impacts to the Physical Environment

A. Comments on the EA’s assessment that impacts to topography are insignificant: The commenters disagree that the impacts are insignificant as proposed and believe there are significant unavoidable impacts.

- *The site is located on a bench between two streams, Silver Bow Creek (headwaters of the Clark Fork River, and tributary of the Columbia) and Browns Gulch Creek. Both streams are extremely sensitive and have already been impacted by irreparable harm [due] to decades of poor mining and ranching practices. The surface elevation of the development site is barely above the stream elevations at approximately 0 feet to 30 feet above, depending on local reference point.*
- *Silver Bow Creek already regularly exceeds state and federal standards.*
- *The site is located adjacent to 54 residential properties (not 40), and a k-8 grade school serving ~160 students (this was conveniently left out).*
- *Surface features will be drastically changed. The surface is currently agricultural and often home to dozens of elk, deer, antelope, Sandhill cranes, snow geese, Canada geese, etc. The vegetation and associated wildlife will be displaced/destroyed.*
- *The surface would change from permeable to a hard-polluted surface which would discharge chemicals to the nearby sensitive streams and ground water. The area as it exists today has significant runoff. The hard surface would exacerbate that.*

DEQ Response: Installation of the USTs at the Facility is not expected to change the existing site topography. The Love's Truck Stop must maintain Montana Pollutant Discharge Elimination System (MPDES) permit coverage for storm water discharges associated with construction activity and undergo inspections for compliance with the Montana Water Quality Act and with the terms and conditions of the MPDES permit during ground disturbing activities associated with construction of the Facility. The construction of the Facility is currently permitted under the General Permit for Storm Water Discharges Associated with Construction Activity, permit authorization MTR107235. This permit requires the selection, installation and maintenance of best management practices (BMPs) to prevent the discharge of pollutants associated with storm water during construction. Upon completion of construction and final stabilization of the site, the Facility is not subject to storm water permitting requirements regulated by DEQ. However, the Facility is prohibited from causing pollution to state waters in violation of the Montana Water Quality Act. The permittee will be expected to comply with the storm water permit. The DEQ Water Protection Bureau is responsible for determining compliance with MPDES permits through review of permit requirements, discharge monitoring reports, onsite visits for compliance inspections and technical assistance. The purpose of inspections is to determine if the permit holder is complying with the permit requirements. Problems identified during inspections are documented in reports. Compliance inspectors contact permittees to share reports, address issues and provide technical assistance, as needed, to bring the permittee into compliance. If a permittee does not correct problems identified in inspection reports, an enforcement action can be initiated against the permit holder. Enforcement actions are taken by the department's enforcement program and may result in a corrective action plan with increased monitoring and could also include monetary penalties.

Impacts to residential properties and the school are addressed under DEQ Response to Human Environment Comment II.A and impacts to wildlife and vegetation are addressed under DEQ Response to Physical Environment Comment I.G. and I.H., respectively.

B. Comments on the EA's assessment that impacts to geology and soil quality, stability and moisture are insignificant: The commenters disagree the impacts are insignificant and believe there are significant, unavoidable impacts.

- *The excavation and construction are likely to impact the ground water and that impacted ground water is likely to impact stream and/or domestic potable water wells.*

- *DEQ has concerns with impacts to remediation activities, which conflicts with the insignificant determination. This proposed project is very close to a remediation site and poses great risk to impacting that remediation. The remediated site is already being impacted by the Montana Livestock Auction storm water runoff, trash, and debris.*
- *Ramsay is in a highly active earthquake area and regularly affected by earthquakes. An earthquake can easily snap even a double wall piping system. This is significant and unavoidable.*

DEQ Response: There is a storm water MPDES general permit authorization (MTR107235) for construction activity, which requires mitigation of off-site storm water discharges to waters of the state. The permittee will be required to implement and maintain BMPs to avoid impacts to state waters including requirements to avoid and cleanup offsite tracking. Additionally, the Facility is prohibited from causing pollution to state waters in violation of the Montana Water Quality Act. See DEQ Response to Comment I.A above.

DEQ is monitoring the remediation activities associated with the Silver Bow Creek/Butte Area Streamside Tailing Federal Superfund site and will follow up if there are any impacts from the proposed Facility. Contact information for Montana DEQ Remediation and the Project Manager overseeing the work being done at the Silver Bow Creek/Butte Area Streamside Tailing Federal Superfund site alongside the EPA Project Manager is available at:

<http://deq.mt.gov/Land/FedSuperfund>

Underground storage tanks are installed throughout the state of Montana in areas with seismic activity. The federal and state UST leak detection regulations require tank and piping leak detection throughout the entire UST system. Additionally, Montana regulations are more stringent than the federal code, requiring shut-down or de-energizing the pumping system when a leak is detected in any part of the system. Installation of petroleum USTs at the proposed Facility must adhere to all state and federal regulations. These include industry standards, codes, and specifications that are developed by the Petroleum Equipment and American Petroleum Institutes. These codes of practice are developed to protect human health and the environment, to prevent storage-system leaks and failures, and to promptly detect petroleum product releases. Finally, Montana UST installers must be competent and experienced, and must meet stringent requirements to be licensed by the DEQ UST program.

The most recent earth quake near the Silver Bow area (32 km away) occurred on January 21, 2018, at 1.8 magnitude. There are no recorded earthquakes within the last 10 years for Ramsay. The Silver Bow area, thirty-two

miles away from Ramsay, had several recorded earthquakes within the past ten years, some higher than 1.8 in magnitude. There were no recorded earthquakes in the past ten years with the epi-center in Ramsay or Silver Bow.

DEQ has no record of releases from UST systems resulting from earth quake activity.

C. Comments on the EA’s assessment that impacts to water quality, quantity, and distribution are potentially significant, but are mitigated by permit conditions: Commenters disagree that potentially significant impacts to water quality, quantity, and distribution are mitigated by permit conditions and believe the impacts are significant and unavoidable.

- *Commenters point out this site is surrounded by water with a stream on both sides, a shallow water table beneath, and significant nearby surface water. Commenters point out that Silver Bow Creek is only 1300 feet away (.25 miles) much closer than the EA’s .5-mile reference and Browns Gulch Creek, not referenced in the EA, is approximately .5 miles from the site. There is significant storm water runoff in the area in the spring. Commenters state “[t]he volume is so great, there is no way they could contain it on site and keep contaminants from entering the runoff and entering the ground water or streams.” Commenters attached photographs showing storm water flow off the proposed site, through the streets and yards of the town of Ramsay.*
- *The EA is in error when it states that there is no significant surface water within .5 miles of the proposed tank installation. There are a series of ponds along the south side of Silver Bow Creek that can easily be seen on any satellite imagery and it is so obvious that it brings to question whether this was ever evaluated, or just stated to support the project. These ponds are approximately .3 miles from the proposed site.*
- *Commenters state there are approximately 48 water wells within ½ mile of the proposed site, including several for potable drinking water supplies. This includes the public water supply serving the town of Ramsay, and the Ramsay School.*
- *Commenters state there are closer to 60 wells within 1 mile of the proposed Facility, not 40, and these wells are at significant risk of contaminants if this development is allowed to move forward.*

- *Commenters point out the static water level at the site is approximately 30 feet below grade based on data from the Ground Water Information Center. Montana DEQ found that the static water level ranged from 20 to 45 feet in the area.*
- *Based on the volume of the tanks, the elevation of the site, and the static level of the ground water, the tanks and piping may very likely be in direct contact with or very close to the ground water allowing zero response time for leaks and posing great risk to the water supply of the local residents.*
- *The EA states that Soil disturbances and storm water runoff during construction are regulated under MPDES Authorization MTR107235, yet you can drive around the county and view multiple large construction sites with no soil disturbance and storm water runoff controls, so just because it is written, does not mean that it will be enforced.*
- *The EA states that protection of ambient water and drinking water is “mitigated” by secondary containment and continuous monitoring, but this is not a guarantee of protection. Even continuous monitoring systems depend on hardware and software that regularly fail and need repair and maintenance, therefore “continuous” cannot be guaranteed. Leak detection appears to be primarily associated with the sumps. Even though continuous, it is likely only spot detection, and not monolithic or uniform throughout so the possibility of undetected leaks is very high. There are no guarantees to the secondary containment or leak detection and the local community and school children should not have to accept un-necessary risk to their drinking water under no circumstances.*
- *The EA states that “proper operation” would significantly decrease the potential for water quality violations. The problem with this is you are relying on proper operation from a cycle of employees over decades with no oversight. This poses a huge unknown risk.*

DEQ Response: The Montana DEQ used the Ground Water Information Center (GWIC) at the Montana Bureau of Mines and Geology (MBMG) to obtain water well counts for the area of interest. The GWIC is the central repository for information on the ground-water resources of Montana. No change will be made to the EA in response to the comments regarding the number of water wells within one mile of the proposed Facility.

The DEQ re-evaluated the location of the USTs at the proposed facility in comparison with Silver Bow Creek and has approximated the distance to be around 1800 ft. (.34 miles). While this distance is less than 0.5 mile, the conclusions of the EA remain unchanged. Brown's Gulch Creek is approximately 3,500 ft. (.66 miles) from the proposed location of the Facility USTs. There is also a string of ponds and wetlands just south of Silver Bow Creek, approximately 0.56 miles from the proposed Facility. Potential impacts to surface water including ponds are mitigated by federal and state regulations that require new underground storage tanks and piping to be double-walled, piping must terminate in containment sumps, and tank and piping must be continuously monitored for leaks. If a leak occurs, the pumping system automatically shuts down and cannot be energized again until the source of the leak is identified and addressed. Further, leak detection systems must meet leak rate detection standards of a probability of detection of 0.95 and a probability of false alarm of 0.05. Finally, these systems are designed to shut down on detecting leaks as small as 0.2 gallons per hour. Impacts to surface waters from releases from the Facility USTs will be mitigated by compliance with leak detection requirements and other operation and maintenance requirements of the Montana Underground Storage Tank Act.

DEQ acknowledges that releases from the UST systems may impact ground water or surface water quality, but this threat is mitigated by installation of double-walled piping and tanks, by continuous interstitial monitoring of the tanks and piping, and by shut down requirements upon detection of leaks. The Facility UST systems must meet all installation standards and UST program construction permit requirements.

There are many areas in the state where static ground water is at or above 30 feet below ground surface (bgs). Installation of the USTs at the proposed Facility will bring the bottom of the tanks around 15 feet above the local ground water table.

Impacts arising from discharges of storm water are mitigated by compliance with storm water MPDES permit authorization no. MTR107235

during construction activity. The permittee will be required to implement and maintain BMPs to avoid impacts to state waters from construction activity at the proposed Facility. Mitigation of potential impacts from storm water through the storm water general construction permit are addressed under DEQ Response to Comment I.A. The Facility is prohibited from causing pollution to state waters in violation of the Montana Water Quality Act. See DEQ Response to Comment I.A above.

The UST system is designed to ensure that leak detection is continuous and over the entire UST system. “Spot detection” is prohibited and does not meet current federal and state UST regulations. Piping leak detection is required to be installed in a manner such that all piping leaks are detected, down to a level of less than a quart per hour or 0.2 gallons per hour. Further, sump sensors are in every sump and must allow early detection of leaks. Leak detectors are programmed to de-energize the submersible turbine pump when any leak is detected. All containment sumps must be tightness tested at installation and every subsequent three years to ensure that the sumps prevent a release to the environment. Any failed test results will require repair to the equipment. These measures, taken together, ensure early detection of leaks to prevent releases of petroleum and other regulated substances to the environment.

DEQ acknowledges that even with leak detection measures, system failure, operator failure, or unexpected disaster may occur. However, current leak detection measures ensure a leak will be detected early to prevent the release of large amounts of petroleum or other regulated substances to the environment. Secondarily-contained UST systems effectively contain leaks within the UST system and prevent product from entering the environment. Interstitial monitoring continuously elicits both a visual and audible alarm, and shuts down the pumping system when the presence of liquid is detected. Upon installation and every three years thereafter, all secondary equipment must be tightness tested to ensure that product does not enter the environment. All leak detection equipment must be tested to industry specifications upon installation and annually thereafter.

Proper operation of equipment, regular compliance inspections, and regular training of personnel ensures proper operation and maintenance of UST systems. UST Equipment must meet state and federal regulatory standards for leak detection, maintenance and operation, and routine testing. All employees responsible for the UST system must obtain training on proper operation of the

system, including emergency response. The Department monitors these requirements through routine testing and certification of system operators and regulatory compliance inspections. Failure to meet the regulatory requirements results in violations issued by the Department. Failure to correct violations within the allotted time-frame may lead to delivery prohibition, referral to the department's enforcement division, and fines.

D. Comments on the EA's assessment that impacts to air quality are insignificant: Commenters assert the proposal will result in impacts to air quality that are significant and unavoidable.

- *The onsite combustion of the fuel from these storage tanks creates a significant threat to public health. Many studies have shown the degradation of air quality around travel stops such as this one from the EPA.*
<https://www3.epa.gov/ttnamti1/files/2009conference/Storey.pdf> *There would be a significant air quality impact to the local residents from this development.*
- *Visible air impacts due to significant haze will occur..*

DEQ Response: Potential impacts to air quality are subject to federal national emissions standards for hazardous air pollutants (NESHAP), which require vapor recovery based on gas throughput. If, based on the proposed facility's throughput, a stage one vapor recovery system is required, the fuel delivery driver will be required to connect to a vapor recovery port during fuel deliveries to direct vapors back into the delivery truck.

Typically, an underground storage tank facility will not require a Montana Air Quality Permit because the potential to emit is less than 25 tons per year of Volatile Organic Compounds (VOCs), which is the air quality permitting threshold. State regulation of air impacts is focused on ambient air quality standards. Montana has no ground level ozone issues and there is no known unacceptable impact to ambient air quality from the proposed UST facility

E. Comments on the EA's assessment that demands on environmental resources of land, water, air, or energy are insignificant: Commenters assert the proposal will result in impacts on environmental resources that are

significant and unavoidable.

- *The project intends to use a public water supply from the City-County of Butte-Silver Bow (BSB). This water supply is already beyond capacity and BSB has a standing water restriction that is never lifted because of this limited capacity. In addition, the water supply was paid for with Tax Increment Financing from the Montana Connections Business Development Park and was intended to serve that financing district. Using TIFID funds to supply utilities outside of the district is a possible violation of MCA. The first 5 miles of line from Butte to Nissler Junction were paid for by TIFID. That capacity must also be available to Industrial Park. Activities.*
- *The site is a migration stop for migratory birds, and a winter range for elk among many other wild life. This project would have significant demand on those environmental resources.*
- *The air will be severely degraded.*

DEQ Response: The proposed project filed for a water main extension (EQ 19-1562) to be served by the Butte-Silver Bow Public Water Supply. The water main would begin near where the existing water line crosses Nissler Junction. This water supply would be subject to all provisions, including water use restrictions imposed by BSB for water conservation in the area. Montana law enables local governments to use tax revenue in designated districts (Tax Increment Financing Districts, or TIFs) for development and redevelopment activities and to pay for public infrastructure needs of projects. TIFs allow property tax revenue to fund new development. Tax revenue from the base taxable value continue to go to the taxing jurisdiction, but as taxable value increases, the increased taxes collected go to the TIF to pay for development activities within the district. The Butte Tax Increment Financing Industrial District (TIFID) provided financial support for increasing capacity, building facilities, and development related to the Montana Connections Business Park. DEQ is not aware of any restriction on beneficial use of infrastructure funded through TIFID.

Impacts to terrestrial, avian, and aquatic life and habitats are addressed in I.G.

Impacts to air quality are addressed in I.D.

F. Comments on the EA's assessment that potential significant impacts on other environmental resources are mitigated by project permit conditions

and regulations: Commenters assert the proposal will result in impacts on environmental resources that are significant and unavoidable.

- *The Water Quality Division approved plans for the extension of a water main. This water main from Butte to the connection point was paid for with Tax Increment Financing and therefore seems to be a violation of MCA to use for development outside of the Tax Increment District. In addition, the water system is short on capacity and BSB has a standing water restriction in place due to this lack of capacity. Please see the BSB notice on its website <https://co.silverbow.mt.us/783/Water-Restrictions> In addition, this particular capacity, since paid for with TIFID financing is (or should be) allocated to the industrial park for which it was intended.*
- *Storm water will have significant and un-avoidable impacts. It would no longer just be agricultural storm water. It will contain all sorts of pollutants from the travel stop.*
- *There are already storm water issues with this site as well as the Montana Livestock Auction flooding the town of Ramsay and the reclamation area to the south.*

DEQ Response: Impacts to water resources are addressed in I.E. Impacts from storm water runoff are addressed in I.C.

G. Comments on the EA's assessment that potential impacts on terrestrial, avian, and aquatic life and habitats are insignificant: Commenters assert there is substantial use of this area by wildlife and there will be significant and unavoidable impacts to wildlife.

- *There is substantial use of this area by wildlife, including elk, deer, antelope, snow geese, Canada geese, sand hill cranes, coyotes, mountain lions, fox, to name a few. As stated previously this site is heavily used by wildlife of all types. If taken the time to study, you may likely find bobcat, lynx, bear and wolverine. There will be significant and unavoidable impacts, and that cannot be disputed. Elk winter in neighboring agricultural fields every winter.*

DEQ Response: No animal species or plant species of special concern were identified by the Montana Natural Heritage Program to potentially be in the project area. The U.S. Fish and Wildlife Service has identified no Critical Habitat for Threatened and Endangered Species near the proposed facility. DEQ received no

comments from other state and federal agencies concerning wildlife or wildlife habitat and the proposed project is in an area that is being developed for mixed use.

H. Comments on the EA's assessment that potential impacts on vegetation, quantity and quality are insignificant: Commenters assert there is significant and unavoidable impact to vegetation as vegetative cover will be removed and replaced with hard, non-permeable surface.

- *The EA states there are several large and small scale businesses in the vicinity, but there is one livestock auction yard next door and ranching business, that is it.*
- *The vegetative communities WILL be permanently altered. That is a fact. 20 acres of vegetation will be removed and replaced with hard non-permeable surfaces. This is significant and unavoidable.*

DEQ Response: There are no rare plants or cover types present in the proposed project area. Natural vegetative habitat in the area has been disturbed by years of agricultural use. DEQ agrees with the commenter that historic land use in the project area is agricultural.

Loss of vegetative cover is addressed in I.A and will be mitigated through permit coverage for storm water discharges associated with construction activity and regular inspections for compliance with the Montana Water Quality Act and the terms and conditions of the MPDES permit during ground disturbing activities associated with construction of the Facility.

I. Comments on the EA's assessment that potential impacts on historical and archeological sites are insignificant: Commenters assert there will be significant and unavoidable impacts to the town of Ramsay, which is a Registered Historic Place. See <https://www.nps.gov/subjects/nationalregister/index.htm>

- *The town of Ramsay, which sits adjacent to the development site, is registered as a National Historic District.*
- *As a Registered Historic Place with the National Park Service, one of the traits of Ramsay's designation is the rural setting. The noise, light, and traffic from the project will have a significant impact on the historic district and will do irreparable harm to its historic features.*

DEQ Response: The EA was limited to the project site. DEQ acknowledges that the unincorporated town of Ramsey, located just west of the proposed site, is within the Ramsay Historic District, which included the original townsite of Ramsay. The Ramsay Historic District is listed in the National Register of Historic Places by the U.S. Department of Interior in cooperation with the Montana Historical Society under the following areas of significance: architecture, community planning, and industry. There are no listed structures within the Ramsay Historic District that will be impacted by the proposed facility. If historic, archeological, or paleontological artifacts are discovered on the project site, they must be preserved and reported to the state historical preservation office.

J. Comments on the EA's assessment that potential impacts on historical and archeological sites are insignificant: Commenters disagree that potentially significant impacts to aesthetics are mitigated and believe the impacts are significant and unavoidable.

- *The entire surrounding area is scenic, and the town of Ramsay is adjacent to this development.*
- *Appurtenant above ground equipment is not at all consistent with the existing character of the adjacent properties and conflicts with existing character, zoning, and the growth policy.*
- *The Port of Montana, Old Dominion Freight Line, Sierra Montana Express, Montana Precision Products, FedEx Freight are not neighboring businesses. These businesses are several miles away and not even in the vicinity. The only nearby businesses are agricultural related, and the Montana Livestock auction. The Montana Livestock Auction also was put in without following the county's master plan (Growth Policy) and did not conform to it. Damages are cumulative and continuing to not follow a pattern of development laid out in the master plan will further degrade the aesthetics of the area.*
- *Area aesthetics will be negatively impacted with excessive light, noise, and air pollution.*
- *These impacts are cumulative.*

DEQ Response: The eastern half of the project site is unzoned, the western half is zoned Rural General Commercial (RC1) and Rural (RR). An area zoning map is attached. The planned facility is consistent with zoning and the growth plan. DEQ acknowledges that the Port of Montana, Old Dominion Freight Line, Sierra Montana Express, Montana Precision Products, and FedEx Freight are located

within the Montana Connections Business Development Park approximately one mile from the project site.

The Facility design will be modern and will be landscaped with trees and grass. The Facility site will be irrigated and maintained.

K. Comments on the EA's assessment that potential impacts on agriculture are insignificant: Commenters disagree that no significant impacts to agriculture will occur as a result of the project.

- *Silver-Bow County is one of the least agricultural counties in the state and this Truck Stop will remove 28 acres of irrigated agricultural land in a county where it is already very scarce causing significant and unavoidable impacts to our agricultural economy.*

DEQ Response: DEQ acknowledges that this property will be taken out of agricultural use, but neighboring agricultural land will not be impacted by this proposed project.

II. EA Comments Related to impacts to the Human Environment

A. Comments on the EA's assessment that potential impacts on social structures and mores are insignificant: Commenters disagree that significant impacts to social structures and mores are mitigated and believe the impacts are significant and unavoidable.

- *This is a rural community where people enjoy a quiet, safe, and healthy lifestyle. School kids walk and bike to school from miles around. They have been doing this for decades. School kids and residents practice for sports and train by running along the rural road. This project will hamper that lifestyle along with many others and put community safety at risk.*
- *This is an active, healthy community where bicyclists enjoying rural country rides.*

DEQ Response: Due to the location of the proposed facility it is unlikely that school children would travel near the proposed Truck Stop when walking and biking to and from school. There is a biking and walking trail that terminates at the SE corner of the Ramsey townsite that will not be impacted by the proposed facility.

B. Comments on the EA's assessment that potential impacts on density and distribution of population and housing are insignificant:

Commenters assert that impacts to population density, distribution, and housing are significant and unavoidable.

- *This will immensely add to the density of people and traffic in the area. It is estimated that 2,500 commercial trucks alone will use these rural streets, in addition to private vehicles. 9,000 trucks a day currently access the Rocker exit 3 miles to the east as an example.*

DEQ Response: Most recent estimates from the Montana Department of Transportation (MDOT) show the area 3 miles east of the Rocker exit experiences approximately 2,692 commercial trucks /day. Commercial trucks are unlikely to travel far from the facility site, but DEQ acknowledges that operation of the truck stop will result in increased traffic near the facility and near the Interstate 90/Interstate 15 interchange.

C. Comments on the EA’s assessment that potential impacts on human health and safety are mitigated by project permit conditions and regulations: Commenters assert the proposal will result in impacts on human health and safety that are significant and unavoidable.

- *The EA states that it is “anticipated” that air currents will dissipate vapors to a safe level. Photos of exhaust from trains and trucks in Silver Bow and Rocker show that air currents often drift to the west without dissipation. Relying on anticipations and proper operation is just too great of a risk to put peoples and school children’s health and safety in danger.*
- *The required leak detection is susceptible to failures, it is not throughout the system, is dependent on proper operation of the UST systems, and could quickly fall into disrepair.*

DEQ Response: See DEQ responses to Comments I.B and I.C for an explanation of UST leak detection requirements. See DEQ Response to Comment I.C for an explanation of continuing operator training requirements and regular compliance inspections to ensure UST systems are properly maintained and operated. See DEQ response to Comment I.D for an explanation of mitigation of impacts from petroleum vapors and other air pollutants.

D. Comments on the EA’s assessment that potential impacts on community and personal income are insignificant: Commenters

assert the project will degrade income in the local area.

- *Since the project is primarily a service provider, the typical wage is generally at or near the minimum wage. Therefore, it will drive down wages in the area.*
- *Existing industry is agricultural. Those jobs will be displaced with minimum wage service jobs.*
- *In addition, many people generate income from investment including real estate investment. The proposal alone has driven down property values in the area by over 30%. This has already had a huge negative impact on people's income*

DEQ Response: Direct impacts of issuing the UST Permit are impacts arising from the installation and continued operation and maintenance of the facility USTs. Secondary impacts are further impacts to the human environment that may be stimulated or induced by or otherwise result from a direct impact. ARM 17.4.603(18). There must be a causal link between direct impacts of the agency action and secondary impacts. Direct impacts of DEQ's issuance of the UST permit are not "stimulating or inducing" minimum wage jobs at the retail facility. Impacts related to lower wages, job displacement, and decreased property values are speculative and outside the scope of this analysis. Construction and operation of the retail facility associated with the truck stop is a related future action, and is considered in DEQ's environmental analysis under MEPA to the extent it is under concurrent consideration by another state agency. The scope of DEQ's review under MEPA does not extend to portions of the proposed development over which DEQ has no control or responsibility.

It is not anticipated that this underground storage tank installation project will eliminate or displace jobs. However, the truck stop and convenience store will create full-time and part-time positions associated with the facility operations. During the underground storage tank installation and during construction of the facility, there will be temporary jobs created.

E. Comments on the EA's assessment that potential impacts on quantity and distribution of employment are insignificant:

Commenters assert the project will not result in additional local employment opportunities.

- *In fact, the project will create low level entry positions. Using the neighboring community of Rocker as an actual example, these positions are not filled by local residents, but by residents of Butte or Anaconda*

commuting to the area adding to the traffic and safety concerns. Those employees are generally high turnover and move in and out of the area.

DEQ Response: See II.D.

F. Comments on the EA’s assessment that potential impacts on local and state tax base revenues are insignificant: Commenters assert the additional tax revenue that may be generated for Butte Silver Bow County is insignificant and offset by devaluation of local real estate.

- *The net tax revenue will likely be zero and will deter long term investment into the area causing a long term downward trend in tax revenue.*
- *The agricultural tax revenue will be displaced adding to the losses.*

DEQ Response: See II.D.

G. Comments on the EA’s assessment that potential impacts on government services are insignificant: Commenters assert the EA concludes there will be increased traffic as a result of the project, but fails to acknowledge the increased demand for government services such as law enforcement.

- *The EA states that increase in law enforcement in the area “may” be necessary. Sheriff ED Lester stated several times and at the hearing for the liquor license that increased calls will in fact happen, there is no “may” about it.*
- *There are no routine patrols. The city-county does not patrol the rural areas, only respond to serious life threatening calls.*
- *There will be significant impacts to the overpass. Just recently the overpass (and associated ramps) were subject to a semi getting stuck on it because it could not make the turn because the ramps and overpass are not built to handle this commercial traffic. A semi had to back down the ramp to get back on the highway. They had to separate the tractor trailer and get law enforcement and others involved to clear it. It heavily damaged the roadway.*
- *There are already difficulties with the Montana Livestock Auction traffic not being able to maneuver and navigate the road ways. Recently several pickups and stock trailers slid off the roads,*

blocked traffic and were driving through town.

- *Transients currently get dropped off at the nearby travel stops in a Rocker. They walk down to the local park and use the restrooms to sleep in. Transients are common and un- avoidable. The 160 school children are going to need full time officer to ensure their safety.*
- *The roads should be upgraded, because they are unsafe now, but the highway department refused to hold the developer accountable for their impacts. This was seen in Rocker, where the development caused significant traffic impacts. The developer did not have to do any upgrades at the time. Subsequently, a third lane had to be added to East bound traffic east of Rocker, and now millions are being spent to upgrade the intersections on both sides of the interstate to improve safety. It was short sighted and negligent in the Rocker developments and it is short sighted and negligent for this EA to state that this is **only Potential significant impacts mitigated based upon license conditions** when there are recent nearby examples to the contrary.*
- *There are currently 9,000 commercial trucks a day through the two travel plazas at Rocker. If you estimate 1/3 of those stopping at this travel stop, that is 3,000 trucks a day. Plus all private passenger vehicles and livestock traffic.*

DEQ Response: During MDT’s review, it was determined that the current ramp configuration is not adequate to accommodate current design standards for interchanges on the interstate system. MDT required the Love’s Travel Stop developer to improve the Interstate 90 ramps, and the plans/designs for those improvements are approved. MDT has not yet issued permits for the work to improve the ramps.

In 2018, MDOT counted 3000 vehicles per day on the westbound Rocker offramp and 2033 vehicles per day on the eastbound Rocker offramp. These counts included all vehicle types including trucks. Also, the Traffic Impact Statement (TIS) provided to MDT for the Ramsey location did not break out total truck trips per day. However, the TIS estimated that in the peak morning hour of traffic flow, 30 trucks would enter the site and 40 trucks would exit the site. In the evening peak hour of traffic flow, 40 trucks would enter the site and 30 trucks would leave the site.

See II.D.

H. Comments on the EA’s assessment that potential impacts on industrial, commercial, and agricultural activities and production are insignificant:

Commenters assert that the project will have a significant impact on agriculture.

- *Silver Bow County has limited agricultural resources. 28 acres of irrigated land will be removed from agricultural. This is significant in this area.*

DEQ Response: See I.K.

I. Comments on the EA’s assessment that potential impacts on access to and quality of recreational and wilderness activities are insignificant:

Commenters assert the location of the proposed project has recreational potential, which will be lost.

- *There is recreational potential within the tract. Recreational hunting has been performed on this tract of land for millennia.*
- *A recreational walking trail and an open space corridor which follows Silver Bow Creek is adjacent to this tract. This resultant project would significantly alter and degrade the recreational opportunities and enjoyment of this recreational area.*
- *The adjacent recreational area has been remediated, from decades of pollution, to, in part, return hunting opportunities that had been damaged due to mining. This adjacent recreational land is often used for hunting including water fowl. It could pose a danger for customers of the travel plaza as hunting will be taking place next to it.*

DEQ Response: DEQ agrees that the larger ranch property has been used for hunting, but taking the project area out of use is not expected to significantly impact hunting opportunities in the area. Direct impacts to the walking trail and open space near Silver Bow Creek are not expected. Taking the property on which the facility is proposed to be located out of recreational use is not expected to have a significant impact on local recreational opportunities.

J. Comments on the EA’s assessment that potential impacts on aesthetics are insignificant:

Commenters assert the project is not consistent with other properties in the area and will have a significant impact on aesthetics.

- *This project is completely out of character with the surrounding properties and it will have irreparable harm to the aesthetics.*
- *The project will result in excessive light, noise and odors.*

DEQ Response: The proposed facility is located near the Montana Livestock Auction property and is not inconsistent with mixed rural and commercial use. See I.J.

K. Comments on the EA’s assessment that potential impacts on locally adopted environmental plans and goals are insignificant: Commenters assert the project is not allowed under local zoning and the County’s Growth Policy.

- *The bulk of the project is in an area zoned local commercial or residential and does not allow for re-fueling stations. The zoning is being ignored for the sake of tax revenue.*
- *In addition, the entire area is planned for residential development in the County’s Growth Policy pattern of development.*

DEQ Response: The County Growth Policy is a guideline and the County has not determined the proposed facility is inconsistent with or impacts the goals of the County Growth Policy. The project is not inconsistent with local zoning. See I.J.

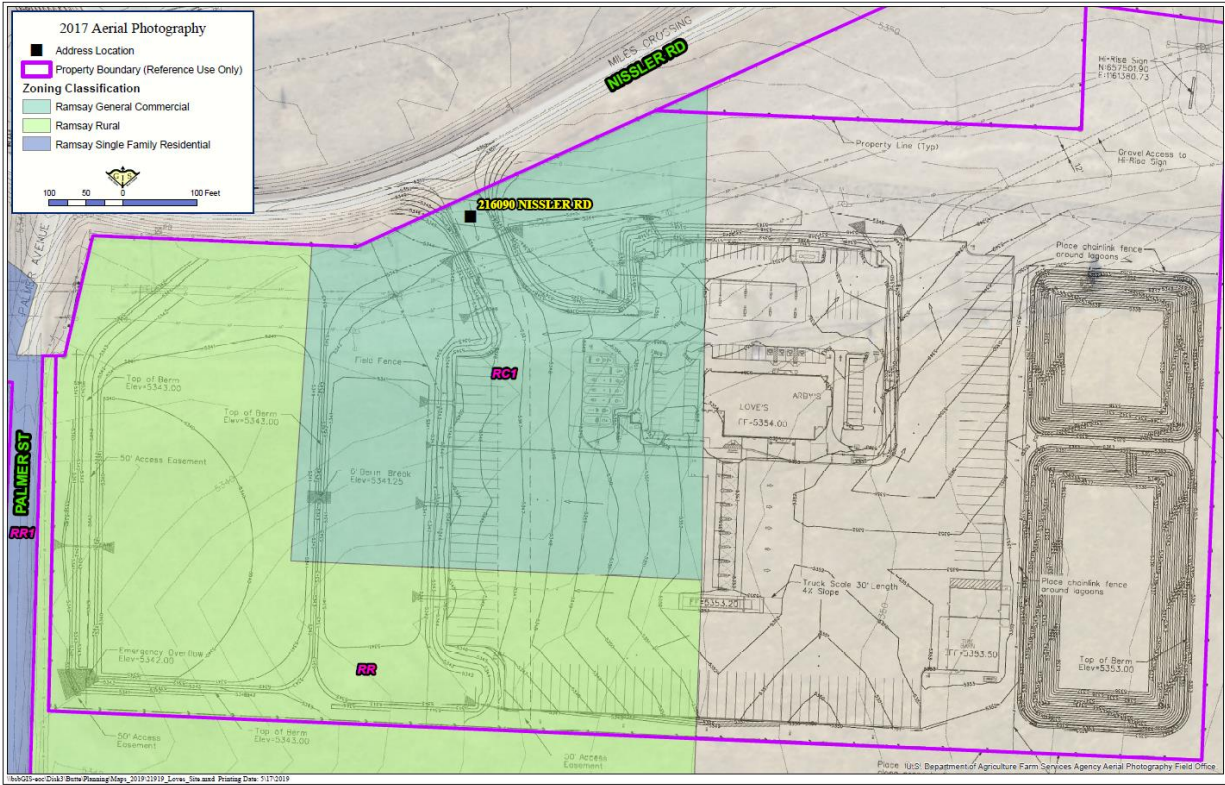
L. Comments on the EA’s assessment that potential impacts on transportation are mitigated by project permit conditions and regulations: Commenters assert that increased traffic will endanger the community.

- *There is a lot of pedestrian traffic and much of this, is young children.*
- *This is the most dangerous stretch of interstate highway in the state. Having more heavy traffic exit and merge here would create very significant safety risks.*
- *Traffic flow is already dangerous and excessive as noted in pictures above.*

DEQ Response: See II.D and II.G.

Supporting Documents:

Zoning Map



Montana Department of Transportation Vehicle Class Distribution



Montana Department of Transportation

Class Distribution (24 Hour Average) for 1/1/2015 - 12/31/2015
Criteria: Location ID = W-129

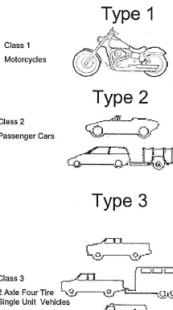
Site Name W-129 County SILVER BOW
Functional Class Principal Arterial - Interstate Speed Limit
Location I-15/I-90, RP 125.45, 3 Mi. E of Rocker (Prepass) (C000015/C00090)

	W-129	W-129_NB	W-129_SB	W-129_1_NB	W-129_2_NB	W-129_2_SB	W-129_1_SB
Motorcycle	78	34	45	27	7	15	30
Car	6,379	2,845	3,534	2,184	661	825	2,710
Pickup/SUV	3,413	1,563	1,849	1,220	343	371	1,478
Bus	66	32	35	30	2	3	32
2Axle6Tire	659	403	255	381	23	25	231
SU 3 Axle	59	26	33	24	1	1	32
SU 4+ Axle	14	7	7	7	0	0	6
ST 4- Axle	74	45	28	44	1	1	27
ST 5 Axle	1,516	787	729	740	47	24	706
ST 6+ Axle	145	81	64	78	3	3	61
MT 5- Axle	24	12	12	11	1	0	12
MT 6 Axle	39	19	21	17	1	1	20
MT 7+ Axle	162	91	71	88	4	3	69
Unclassified	51	41	10	41	0	2	8
Truck	2,757	1,502	1,255	1,419	83	60	1,195
Combo Truck	1,960	1,035	925	978	57	32	893
Classified	12,626	5,944	6,683	4,849	1,094	1,271	5,412
% Unclassified	0.40%	0.69%	0.15%	0.84%	0.00%	0.16%	0.15%
Number of Days	242	242	242	242	242	242	242
Total	12,677	5,985	6,693	4,890	1,094	1,273	5,420

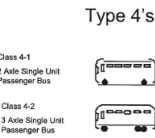
2692

Generated 1/16/2020

Passenger Vehicles

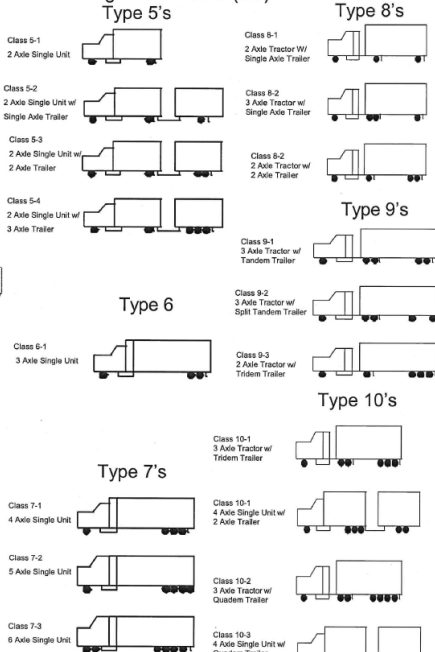


Busses

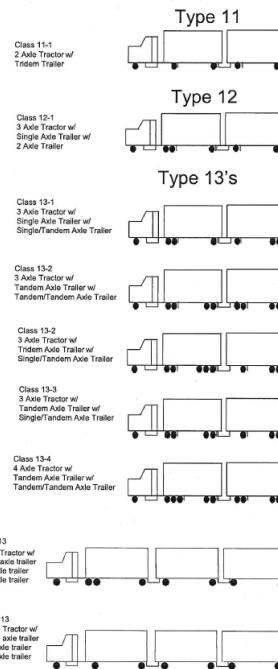


Traffic Mix Grouping
Type 1-4 Passenger
Type 5-7 SU
Type 8-13 CU

Single Unit Trucks (SU)



Combination Unit Trucks (CU)



Regional Earthquake Data

1/15/2020

1.8 magnitude earthquake near Butte-Silver Bow (Balance), Montana, United States and Calgary, Alberta, Canada : January 21, 2018 11:49

1.8 magnitude earthquake 32 km from Butte-Silver Bow (Balance) (/us-mt-butte-silver-bow-balance/recent), Montana (/p/united-states/montana/recent), United States (/p/united-states/recent)

2 years ago (2018-01-21 11:49:35 UTC)

UTC time: Sunday, January 21, 2018 11:49 AM

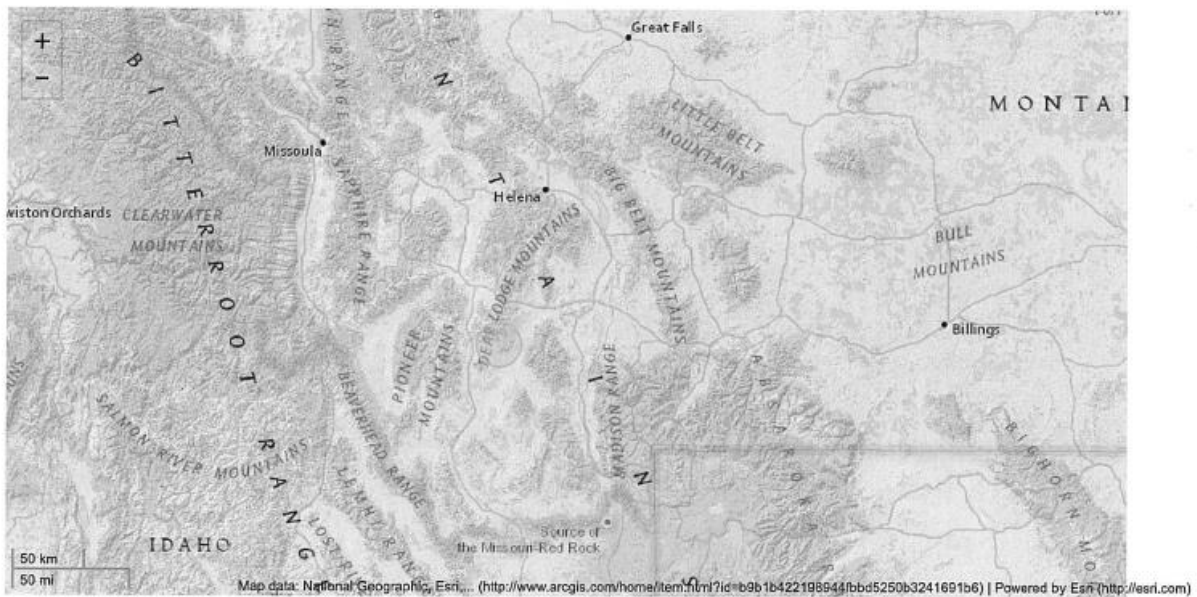
Your time: 2018-01-21T11:49:35Z

Magnitude Type: ml

USGS page: M 1.8 - 36km SW of Whitehall, Montana (<https://earthquake.usgs.gov/earthquakes/eventpage/mb80278394>)

USGS status: Reviewed by a seismologist

Reports from the public: 0 people



2 years ago (2018-01-21 11:49:35 UTC) (/quakes/2018-01-21-11-49-35-utc-1-8-3) 1.8 magnitude, 3 km depth
Butte-Silver Bow (Balance) (/us-mt-butte-silver-bow-balance/recent), Montana (/p/united-states/montana/recent), United States (/p/united-states/recent)



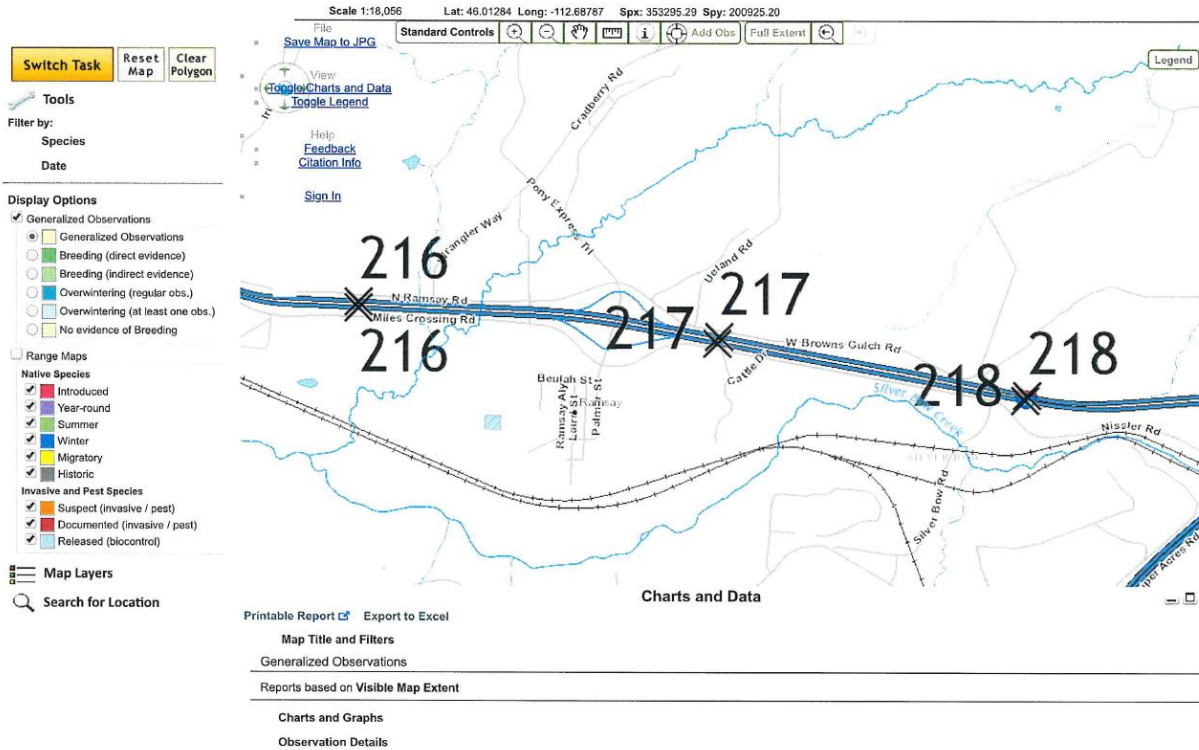
<https://earthquaketrack.com/quakes/2018-01-21-11-49-35-utc-1-8-3>

1/2

Montana Natural Heritage Program – Native Species Distribution Maps

1/16/2020

NHP Generalized Observations



1/16/2020

NHP Land Management

