

April 29, 2024

Kyle Carter
General Manager
Pipestone Quarry, LLC
1 Delmoe Lake Road
Whitehall, MT 59759

Sent by email to: kcarter@montanaresources.com

RE: Pipestone Quarry, LLC (Hard Rock Mining Operating Permit No. 00148), Decision Notice for Minor Amendment 005, Groundwater Mixing Zone

Dear Mr. Carter,

On February 1, 2024, Pipestone Quarry, LLC (PQ) submitted an application to amend Hard Rock Mining Operating Permit No. 00148 (Minor Amendment 005) to the Montana Department of Environmental Quality (DEQ) for a source-specific groundwater mixing zone within the existing permit boundary. PQ currently operates a quarry site that produces railroad ballast and other aggregate materials from basalt or diorite porphyry bedrock approximately 6 miles west of Whitehall, MT. The minor amendment is intended to authorize temporary exceedance of the groundwater standard for nitrate inside a mixing zone contained within the Operating Permit boundary for the Pipestone Quarry. A permit issued by DEQ would authorize a source-specific groundwater mixing zone within the PQ permit boundary.

For a minor amendment, DEQ shall not implement the application, notice, and hearing requirements for new permits or major amendments, pursuant to Sections 82-4-337 and 82-4-353, Montana Code Annotated (MCA). DEQ shall provide the permittee with a notice of decision on the adequacy of the minor amendment application within 30 days of receipt of the application (Administrative Rules of Montana (ARM) 17.24.119(4)). An amendment approval issued by DEQ would authorize a source-specific groundwater mixing zone within the PQ permit boundary into Operating Permit No. 00148 and allow for temporary exceedance of the groundwater standard for nitrate within the mixing zone boundary.

DEQ published the Final Environmental Assessment (EA) on April 29, 2024, which documented DEQ's analysis of the possible environmental impacts of the Proposed Action. DEQ identified the Proposed Action as the preferred alternative. The decisions contained in this decision document are based on the analysis documented in the Final EA.

DEQ's Decisions

DEQ has applied the significance criteria, according to the Administrative Rules of Montana (ARM) 17.4.608, to determine the significance of potential impacts on the human environment. After applying those criteria, DEQ has determined that preparation of an EA is the appropriate level of review under the Montana Environmental Policy Act (MEPA). A summary of DEQ's review of the significance criteria is included in the Final EA.

DEQ has decided to approve PQ's application for Minor Amendment 005, selecting the Proposed Action as described in the Final EA. The approved amendment authorizes a source-specific groundwater mixing zone within the PQ permit boundary. Before commencing activity authorized by this permit, the Permittee must be in compliance with Title 75, Chapter 2, MCA as amended, Title 75, Chapter 5, MCA, as amended, Title 75, Chapter 6, MCA, as amended, and administrative rules adopted pursuant to these laws. Based on the application information submitted by PQ, DEQ has determined PQ to be in compliance with these statutory provisions.

Pursuant to Sections 82-4-337(1)(h)(i) and 82-4-338, MCA, PQ is required to file with DEQ a reclamation bond in a form and amount determined by DEQ. Based on the details of the source-specific groundwater mixing zone and associated monitoring, DEQ has determined that no additional disturbance or reclamation bond is required for the approved action.

Appeal of DEQ's Decisions

Legal actions seeking review of DEQ's approval of PQ's application for a minor amendment must be filed within 90 days from the date of this decision document under Section 82-4-349(1), MCA. Any action or proceeding alleging a failure by DEQ to comply with MEPA, or inadequate compliance with a MEPA requirement, must be brought within 60 days after issuance of this decision document pursuant to Section 75-1-201(5)(a)(ii), MCA.

Sincerely,



Dan Walsh
Mining Bureau Chief
Air, Energy and Mining Division
Montana Department of Environmental Quality
(406) 444-6791 or dwalsh@mt.gov

File: 00148.3

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