

June 25, 2021

Montana Frontier Sandstone, LLC
PO Box 420
Roundup, MT 59072

Sent by email to: office@montanafrontiersandstone.com;
cisleeb@montanafrontiersandstone.com

RE: Approval of Operating Permit Application No. 00201 – PERMITTEE

Dear Montana Frontier Sandstone, LLC,

On June 15, 2020, Montana Frontier Sandstone, LLC (MFS) submitted Operating Permit Application No. 00201 to the Montana Department of Environmental Quality (DEQ) for the construction and operation of a proposed decorative stone quarrying operation (Jones Quarry) located in Wheatland County, about five miles south of Harlowton. Revised versions of the application were submitted to DEQ on November 1, 2020, December 31, 2020, February 24, 2021, and March 11, 2021. A draft permit and compliance document were issued on March 30, 2021. A permit issued by DEQ would authorize MFS to mine from the Jones Quarry.

DEQ published the Draft Environmental Assessment (EA) on May 19, 2020, which analyzed the possible environmental impacts of the Proposed Action. DEQ identified the Proposed Action as the preferred alternative. A 30-day public comment period was initiated after publication of the Draft EA. On June 25, 2021, DEQ issued a Final EA. No comments were received during the public comment period. 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 MFS's application for an operating permit, selecting Alternative 2 (the Proposed Action), as described in Final EA. Pending bond submittal and approval, the approved operating permit allows MFS to mine at the Jones Quarry. Before commencing activity authorized by this permit, the permittee must be in compliance with Title 75, Chapter 2, Montana Code Annotated (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 MFS, DEQ has determined MFS to be in compliance with these statutory provisions.

Montana Frontier Sandstone, LLC

June 25, 2021

Page 2

Pursuant to Section 82-4-335(10), MCA, DEQ has determined that MFS has provided the current information required in 82-4-335(5)(a), MCA. In addition, on June 9, 2021, DEQ and MFS finalized an Administrative Order on Consent (AOC) as part of the ongoing effort to correct the violation cited in Violation Letter No. VLHRM20191205-00038. The finalized AOC satisfies the requirements of 82-4-335(10)(a)(ii), MCA. Provided that the application material remains unchanged at the time of submission of the bond and that the AOC remains in force at the time of submission of the bond, the requirements of 82-4-335(10), MCA will be addressed satisfactorily.

Pursuant to Sections 82-4-337(1)(h)(i) and 82-4-338, MCA, MFS is required to file with DEQ a reclamation bond in a form and amount determined by DEQ. DEQ will calculate the bond in accordance with Section 82-4-338, MCA, and is required to provide MFS with the bond determination within 40 days of the date of this decision document (Section 82-4-337(2)(c), MCA). A final permit may not be issued until the permittee submits, and DEQ accepts, the corresponding bond.

Permit Stipulations

On March 30, 2021, a draft permit was issued for pending Operating Permit No. 00201. The draft permit included the following permit stipulation: Montana Frontier Sandstone, LLC must obtain authorization for the site under the Multi-Sector General Permit for Industrial Stormwater Discharges before a final permit may be issued.

Appeal of DEQ's Decisions

Legal actions seeking review of DEQ's approval of MFS's operating permit 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
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Air, Energy and Mining Division
Montana Department of Environmental Quality
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File: 00201.3