

Legal Notice

Partial Bond Release and Comprehensive Bond Review for SPP Montana Rock, LLC (Hard Rock Mining Operating Permit No. 00167)

The Montana Department of Environmental Quality (DEQ) has received a request for bond release from SPP Montana Rock, LLC (SPP). SPP is authorized to operate 17 rock product quarry sites under Operating Permit No. 00167. The sites are located on property owned by SPP Montana, LLC, in eastern Flathead County and southwestern Lincoln County. The site locations are as follows:

Griffin 13 Rock	Section 13, T28N, R25W
Herrig 15 Rock	Section 15, T28N, R25W
Tear Drop Rock	Section 29, T28N, R24W
Kavalla Ridge	Section 13, T29N, R27W
Kid Rock	Sections 8 and 9, T29N, R26W
N 8 Rockin	Section 7, T30N, R26W; Section 12, T30N, R27W
Rail Road Rock	Sections 7 and 18, T29N, R26W; Section 13, T29N, R27W
Thin Line Rock	Section 14, T29N, R27W
Rail Road 1718 Rock	Sections 7, 8, 17 and 18, T29N, R26W
Kavalla 15 Rock	Section 15, T29N, R27W
Loon Lake Rock	Section 27, T27N, R28W
Coniff 335 Rock	Section 3, T28N, R26W; Sections 34 and 35, T29N, R26W
Lake View Rock	Sections 17 and 18, T28N, R24W; Section 13, T28N, R25W
Loon Complex	Sections 26, 27 and 35, T27N, R28W
Billy Fritz Pass Rock	Section 33, T27N, R28W
McGinnis Rock	Section 5, T26N, R28W
Wolf 26 Mile Rock	Sections 21 and 28, T31N, R26W

DEQ is also conducting a comprehensive bond review for Operating Permit No. 00167. DEQ has determined that the current bonding level does not represent the present costs of compliance with the Metal Mine Reclamation Act, administrative rules adopted thereunder, and the operating permit. DEQ is proposing to increase the bond by \$47,916. The bond increase is largely due to changes in fuel price, equipment rates, removal of nonmobile site equipment and updated indirect costs such as mobilization, contingency, and administration.

In addition to the comprehensive bond review, DEQ is proposing to release \$32,241 and retain \$44,453 after both increasing the bond as a result of the comprehensive bond review and releasing bond for completed reclamation tasks.

The bond release was requested by SPP for reclamation work completed at the Loon Lake Rock site and the Herrig 15 Rock site. The reclamation tasks completed include regrading and laying down soil on 0.5 acres at the Loon Lake Rock site and on 3.4 acres at the Herrig 15 Rock site.

Additional reclamation includes revegetation of 4.3 acres on Loon Lake Rock site. SPP has also requested that five acres of bonded disturbance that had previously not been assigned to any site or disturbance be released as well. DEQ has determined the partial completion of reclamation, and removing the additional unused bonded disturbance, would decrease the currently required bond by \$32,241, resulting in a required bond of \$44,453.

DEQ has determined the net effect on the bond from the increase as a result of the five-year comprehensive review (\$47,916) and the release request (\$32,241) is a bond increase of \$15,675.

The procedure for adjusting bonds as a result of a comprehensive bond review is set forth in Section 82-4-338(3), MCA. Pursuant to Section 82-4-338(5), Montana Code Annotated (MCA), DEQ may not release or decrease a reclamation bond until the public has been provided an opportunity for a hearing and a hearing has been held if requested. The permittee and the public will have until April 15, 2025, to comment on these proposed changes to the bond amount. DEQ will issue a final bond determination after the comment period has expired. The permittee, or any person with an interest that may be adversely affected by DEQ's final bond determination, may obtain a contested case hearing before the Board of Environmental Review. A written request for a hearing must be filed with DEQ within 30 days of the issuance of the final bond determination, stating the reason for the request.

Requests for copies of the bond calculation associated with the comprehensive bond review, and any related questions should be directed to Millie Olsen, Hard Rock Mining Section Supervisor, Mining Bureau, Department of Environmental Quality, PO Box 200901, Helena, MT 59620-0901, by telephone at (406) 444-2461 or by e-mail at DEQHardRock@mt.gov.