

DEPARTMENT OF ENVIRONMENTAL QUALITY

PERMITTING AND COMPLIANCE DIVISION

Air and Waste Management Bureau



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June 25, 1998

RECEIVED

JUN 30 1998

**ENVIRONMENTAL
QUALITY COUNCIL**

Cecil McKinley
R Lazy M Enterprises,
dba Creston Sand and Gravel
5447 Highway 35
Kalispell, MT 59901

Dear Mr. McKinley:

Air Quality Permit #2995-00 is deemed final as of June 12, 1998 by the Department of Environmental Quality. This permit is for a portable screening plant and associated equipment. All conditions of the department's decision remain the same. Enclosed is a copy of your permit with the final date indicated.

For the department,

Handwritten signature of Richard Knatterud in cursive.

Richard Knatterud
Air Permitting Section Supervisor

RK:bjd

Enclosure

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

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued For: R Lazy M Ent., dba Creston Sand and Gravel
5447 HWY 35
Kalispell, MT 59901

Air Quality Permit Number: 2995-00

Preliminary Determination on Permit Issued: December 24, 1997
Department Decision Issued: February 10, 1998
Final Permit Issued: June 12, 1998

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

Legal Description of Site: (portable source, original location) NE ¼, NW ¼, Section 26, Township 28 North, Range 20 West, in Flathead County, Montana.

Description of Project: This permit is for the operation of a portable 1985 Fab Tech screening plant, model 5-16-3 (maximum production rate 150 tph); a 1993 40' X 24" homemade stacking conveyor; a 1980 70' X 24" homemade stacking conveyor; a 1970 50' X 30" homemade stacking conveyor; a 1960 50' X 30" Kolman feed conveyor; a 125 KW Detroit Diesel generator; and associated equipment.

Benefits and Purpose of Proposal: This plant screens and sorts sand and gravel for use in industry.

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

A listing and appropriate evaluation of mitigation, stipulations and other controls enforceable by the agency or another government agency: A list of enforceable conditions, including a BACT analysis, are contained in permit #2995-00.

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

Potential Impact on Physical Environment

		Major	Moderate	Minor	None	Unknown	Comments
1	Terrestrial & Aquatic Life & Habitats			X			Terrestrials will use the areas in which the screen operates. However, the screen itself results in a minimal disturbance to the soils at the site.
2	Water Quality, Quantity and Distribution			X			Water will be used as dust control. Any accidental spills or leaks from equipment will be removed and any contaminated material will be excavated as required by the open cut mining contract.
3	Geology and Soil Quality, Stability and Moisture			X			The soils will be impacted by the screen's operation. The impacts will be minor due to the size of the operation, and requirements that are incorporated in the open cut mining contracts for reclamation procedures.
4	Vegetation Cover, Quantity and Quality			X			The vegetation cover will be affected by the screening operations. Impacts will be minor because the vegetation will be re-established following the mining operations in the area as required in the open cut mining contracts.
5	Aesthetics			X			The screen will be visible and will create some additional noise in the area. Permit #2995-00 includes conditions to control emissions from the plant. Also the screening operation is small and any noise will be relatively minimal; therefore the aesthetic impacts will be minor.
6	Air Quality			X			The air quality impacts from the screen are minor. Permit #2995-00 includes conditions limiting the opacity from the plant as well as requiring water spray bars to control air emissions. The site is also limited by permit #2995-00 to total particulate emissions of 250 tons/year or less from this screen in addition to any additional equipment at any individual site. Compliance with permit #2995-00 will ensure the facility is operated in compliance with all applicable rules and standards.
7	Unique Endangered, Fragile or Limited Environmental Resource			X			The Montana Natural Heritage Program has identified grizzly bear, bald eagles, and wolves as threatened or endangered species at this site as determined in the August 1993 EA and the January 1997 EA completed by the department for the open cut mining contract. The area has already been disturbed by the subdivision activities occurring in the area. There will be minor impact on these species from the operation of the screening plant. Also, the affects on these resources are determined when a open cut mining contract is issued for each individual mine site.
8	Demands on Environmental Resource of Water, Air and Energy			X			The screen is powered by a diesel generator. The plant must comply with the applicable requirements, which includes the use of water spray bars, in permit #2995-00 causing only a minor affect on the air quality and water resources in the area.

		Major	Moderate	Minor	None	Unknown	Comments
9	Historical and Archaeological Sites			X			Historical agricultural buildings have been identified in the area but not at this original site as determined in the August 1993 open cut mining contract EA . In addition the January 1997 EA done for the expansion of the site identified the discovery of primitive tools found in the adjacent Schellinger site. Two isolated historical finds were recorded, but neither were recommended as eligible for listing in the National Register of Historical Places. The operator will give the appropriate protection to any values or artifacts discovered in the affected area. The State Historical Preservation Office will be promptly notified. Also, the affects on these type of sites are determined when the an open cut mining contract is issued for each individual mine site. The screen itself results in a minimal disturbance to the soils at the site.
10	Cumulative and Secondary Impacts			X			This project, coupled with the operation of other equipment and dust from county roads has the potential to cause minor Cumulative and Secondary Impacts at this site. As part of permit #2995-00, the proposed operation, coupled with the operation of any additional equipment at the site, would be limited to less than 250 tons/year of emissions of any regulated pollutant. Permit #2995-00 also limits the operation of the proposed screen to maintain compliance with all applicable rules and standards. In this specific case, there is also the possibility that additional equipment could be used at the adjacent site. Any equipment that requires a permit proposed for operation at any site would need to apply for and hold the appropriate permits/contracts from the department. The necessary permits/contracts for operations such as these might include, but not be limited to, water quality, air quality, and reclamation. These permits/contracts would require that any operation be conducted in compliance with all applicable rules and standards. In addition, the site specific environmental impacts would be assessed prior to issuance of the permit/contract. Also, there is a pending action that involves the expansion of the pit to approximately 33.5 acres. There will be potential minor impacts from the larger pit and the use of a concrete batch plant and a pugmill. The request will also include the addition of two settling ponds and a well. Potential impacts may include increased noise, increased demands on potable water, and reduced aesthetic appeal in the area. If the pending application is processed for the expansion, the open cut mining contract will expire in the fall of 2008.

Potential Impact on Socio-Economic Environment

		Major	Moderate	Minor	None	Unknown	Comments
1	Social Structures and Mores				X		There will be no disruption of native or traditional lifestyles or communities from this screen.
2	Cultural Uniqueness and Diversity				X		The operation of the screen will not cause a change in the cultural uniqueness and diversity of the area.
3	Local and State Tax Base and Tax Revenue			X			Operation of the screen in the mining pit that has been permitted will have a minor affect on the local and state tax base and tax revenue because it is a small operation that employs only a few individuals.
4	Agricultural or Industrial Production			X			The operation of the screen will be under industrial production. The screening operation is small by industrial standards. Therefore, this screen will have a minor impact on industrial production. There will be no impact on agricultural production.
5	Human Health			X			The proposed emissions from the portable screen will have minor impacts on human health. There may be impacts from the inhalation of dust generated by the screen. However, the impacts will be minor because the screen will be operated in compliance with National Ambient Air Quality Standards which are set to protect human health. Permit #2995-00 incorporates conditions to ensure that the screen will be operated in compliance with all applicable rules and standards.
6	Access to and Quality of Recreational and Wilderness Activities			X			The operation of the screening plant will have a minor affect on the access to or quality of recreational and wilderness activities in the area because the proposed emissions from the source are minor. In addition, any impacts would be temporary because the screen is portable.
7	Quantity and Distribution of Employment			X			There will be a minor affect on the quality and distribution of employment because this operation will employ several people.
8	Distribution of Population				X		The operation of the screening plant will not require additional or less housing in the area. This screen is owned by a local company that will employ several people and will not affect the distribution of the population.
9	Demands for Government Services			X			Minor increases will be seen in traffic on existing roads in the area while the screening plant is in operation because this is a small operation.
10	Industrial and Commercial Activity			X			The operation of the screen is a minor increase in the industrial activity in the area. The area has been used as a gravel pit for several years. The proposed screen represents a relatively minor industrial activity because of its small size.

		Major	Moderate	Minor	None	Unknown	Comments
11	Locally Adopted Environmental Plans and Goals				X		No impact because this area is zoned for this type of activity.
12	Cumulative and Secondary Impacts			X			This project, coupled with the operation of other equipment and dust from county roads has the potential to cause minor Cumulative and Secondary Impacts at this site. As part of permit #2995-00, the proposed operation, coupled with the operation of any additional equipment at the site, would be limited to less than 250 tons/year of emissions of any regulated pollutant. Permit #2995-00 also limits the operation of the proposed screen to maintain compliance with all applicable rules and standards. In this specific case, there is also the possibility that additional equipment could be used at the adjacent site. Any equipment that requires a permit proposed for operation at any site would need to apply for and hold the appropriate permits/contracts from the department. The necessary permits/contracts for operations such as these might include, but not be limited to, water quality, air quality, and reclamation. These permits/contracts would require that any operation be conducted in compliance with all applicable rules and standards. In addition, the site specific environmental impacts would be assessed prior to issuance of the permit/contract. Also, there is a pending action that involves the expansion of the pit to approximately 33.5 acres. There will be potential minor impacts from the larger pit and the use of a concrete batch plant and a pugmill. The request will also include the addition of two settling ponds and a well. Potential impacts may include increased noise, increased demands on potable water, and reduced aesthetic appeal in the area. If the pending application is processed for the expansion, the open cut mining contract will expire in the fall of 2008.

Recommendation: No EIS is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: This plant is a small and portable source and any impacts will not be significant. In addition, the controls contained in permit #2995-00 will further limit the emissions.

Additional information can be found on the original location of the screen plant by referencing the EAs completed by the department in the open cut mining contract for R Lazy M Enterprises Clouse site approved on August 8, 1993 and January 7, 1997. Also, any future actions at the original location outside the scope of the open cut mining contract EA, will require an additional EA by the department.

Other groups or agencies contacted or which may have overlapping jurisdiction: Industrial and Energy Minerals Bureau.

EA prepared by: Vickie Walsh
Date: December 12, 1997
Revised: February 9, 1998