Montana Department of
ENVIRONMENTAL QUALITY
Brian Schweitzer, Governor
P. O. Box 200901 Helena, MT 59620-0901 (406) 444-2544 Website: www.deq.mt.gov

December 23, 2008

Tracy Hodik
Century Construction Company, Inc.
P.O. Box 739
Lewistown, MT 59457

Dear Ms. Hodik:

The Department of Environmental Quality (Department) has made its decision on the Montana Air Quality Permit application for an asphalt batch plant. The application was given permit number 2839-03. The Department's decision may be appealed to the Board of Environmental Review (Board). A request for hearing must be filed by January 7, 2009. This permit shall become final on January 8, 2009, unless the Board orders a stay on the permit.

Procedures for Appeal: Any person jointly or severally adversely affected by the final action may request a hearing before the Board. Any appeal must be filed before the final date stated above. The request for a hearing shall contain an affidavit setting forth the grounds for the request. Any hearing will be held under the provisions of the Montana Administrative Procedures Act. Submit requests for a hearing in triplicate to: Chairman, Board of Environmental Review, P.O. Box 200901, Helena, Montana 59620.

Conditions: See attached.

For the Department,

Vickie Walsh
Air Permitting Program Supervisor
Air Resources Management Bureau
(406) 444-3490

Trista Glazier
Air Quality Specialist
Air Resources Management Bureau
(406) 444-3403

VW:TG
Enclosure

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air and Waste Management Bureau
1520 East 6th Avenue
P.O. Box 200901
Helena, Montana 59620-0901
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Century Construction Company, Inc.
P.O. Box 739
Lewistown, MT 59457

Air Quality Permit Number: 2839-03

Preliminary Determination Issued: November 21, 2008
Department Decision Issued: December 22, 2008
Permit Final:

1. *Legal Description of Site:* The asphalt plant would initially operate at the SW¼ of Section 23, Township 32 North, Range 2 West, in Toole County, Montana. However, Permit #2839-03 would also apply while operating at any location in Montana, except within those areas having a Department approved permitting program or those areas in or within 10 km of certain PM_{10} nonattainment areas. *A Missoula County air quality permit would be required for locations within Missoula County, Montana.*

2. *Description of Project*: Century submitted a complete permit application to add the horsepower ratings for the previously permitted generators.

3. *Objectives of Project:* In an effort to update the facility's permitted equipment and more accurately determine the facility's potential to emit, Century requested to add the horsepower rating of existing equipment to the existing asphalt plant.

4. *Alternatives Considered:* In addition to the proposed action, the Department also considered the "no-action" alternative. The "no-action" alternative would deny issuance of the air quality preconstruction permit to the proposed facility. However, the Department does not consider the "no-action" alternative to be appropriate because Century has demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the "no-action" alternative was eliminated from further consideration.

5. *A Listing of Mitigation, Stipulations, and Other Controls*: A list of enforceable conditions, including a BACT determination, would be included in Permit #2839-03.

6. *Regulatory Effects on Private Property*: The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions would be reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and would not unduly restrict private property rights.

7. *The following table summarizes the potential physical and biological effects of the proposed project on the human environment. The "no-action" alternative was discussed previously.*

		Major	Moderate	Minor	None	Unknown	Comments Included
A	Terrestrial and Aquatic Life and Habitats			X			Yes
B	Water Quality, Quantity, and Distribution			*X*			Yes
C	Geology and Soil Quality, Stability and Moisture			X			Yes
D	Vegetation Cover, Quantity, and Quality			X			Yes
E	Aesthetics			X			Yes
F	Air Quality			X			Yes
G	Unique Endangered, Fragile, or Limited Environmental Resources				X		Yes
H	Demands on Environmental Resource of Water, Air and Energy			X			Yes
I	Historical and Archaeological Sites				X		Yes
J	Cumulative and Secondary Impacts			X			Yes

SUMMARY OF COMMENTS ON POTENTIAL PHYSICAL AND BIOLOGICAL EFFECTS: The following comments have been prepared by the Department.

A. Terrestrial and Aquatic Life and Habitats

Emissions from the diesel-powered generators/engines would have only minor impacts upon the terrestrial and aquatic life and habitats in areas where the generators/engines may operate. Although air pollutant deposition would occur in the areas where the generators/engines operate, the size and temporary nature of the operation, dispersion characteristics of pollutants, and conditions placed in Permit #2839-03 would result in minor impacts. In addition, the generators/engines would be relatively small and located at previously disturbed sites. Therefore, the operation of the generators/engines would present only minor impacts to the terrestrial and aquatic life and habitats in areas of potential operation.

B. Water Quality, Quantity and Distribution

There would only be minor impacts on the water quality, quantity, and distribution because of the relatively small size and temporary nature of the operation. While deposition of pollutants would occur, the Department determined that any impacts from deposition of pollutants would be minor. As described in 7.F. of the EA, due to the conditions placed in Permit #2839-03 and the size a nature of the facility, the maximum

impacts from the air emissions from this facility would be minor. Therefore, the diesel-powered generators/engines would have only minor impacts to water quality, quantity, and distribution in the proposed area of operation**.**

C. Geology and Soil Quality, Stability and Moisture

As a result of the operation of the portable diesel-powered generators/engines, there would be minor impacts to the geology and soil quality, stability, and moisture near the equipment's operational area because of the increased vehicle traffic and deposition of pollutants from portable generator operations. As explained in Section 7.F. of this EA, the facility's size, operational requirements, temporary nature of the operation, and conditions placed in Permit #2839-03 would minimize the impacts from deposition. In addition, the generators/engines would be relatively small in size and located at previously disturbed sites, which would also reduce the potential impact to the local geology and soil quality, stability, and moisture.

D. Vegetation Cover, Quantity, and Quality

Because small amounts of pollutant deposition would occur on the surrounding vegetation, there would be minor impacts on the local vegetative cover, quantity, and quality. The generators/engines would also be relatively small in size and located at previously disturbed sites. As explained in Section 7.F. of this EA, the Department determined that, as a result of the size and temporary nature of the operation and conditions placed in Permit #2839-03, any impacts on vegetative cover, quantity, and quality from the deposition of pollutants would be minor.

E. Aesthetics

The diesel-powered generators/engines would be visible and may create some additional noise in the area of operation. However, Permit #2839-03 would include conditions to control emissions, including visible emissions, from the plant generator. The generators/engines would be relatively small and temporary and would be used to power the portable asphalt facility at previously disturbed sites. Therefore, any aesthetic impact to a given area would be minor and temporary.

F. Air Quality

The air quality emission impacts from the diesel-powered generators/engines would be minor because Permit #2839-03 would include conditions limiting the visible emissions (or opacity) from the equipment. In addition, the facility’s potential emissions would be limited by Permit #2839-03 to less than 100 tons per year for any pollutant, resulting in the facility not requiring a Title V Operating Permit. Because of the size and temporary nature of the operation and conditions placed in Permit #2839-03, impacts from the deposition of pollutants would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department, in an effort to assess any potential impacts, previously contacted the Montana Natural Heritage Program (MNHP) to identify any species of special concern associated with the proposed site location. Search results indicated that there are no such environmental resources in the area. Area, in this case, is defined by the township and range of the proposed site, with an additional one-mile buffer. The initial location has been identified by Century as the SW¼, of Section 23, Township 32 North, Range 2

West, in Toole County, Montana. The proposed project would have no impact on any unique endangered, fragile, or limited environmental resources because there are no such resources in the area.

H. Demands on Environmental Resource of Water, Air, and Energy

The operation of the generators/engines would require only small demands on water, air, and energy as a result of the relatively small size and temporary nature of the facility. While small amounts of water would be used for dust control on the surrounding roadways and job site, no water would be needed to operate the generator.

Furthermore, as described in Section 7.F. of this EA, pollutant emissions generated from the facility would have minimal impacts on air quality in the immediate and surrounding area. Energy would be generated from the use of an existing generators/engines, so no other sources of power would be necessary to operate the facility. The generators/engines would consume energy in the form of diesel fuel, a non-renewable resource. Overall, the equipment is relatively small and would have operational restrictions placed in Permit #2839-03. Because the facility operations would be seasonal and temporary, demands and impacts to the environmental resource of air and energy would be minor.

I. Historical and Archaeological Sites

The Department previously contacted the Montana Historical Society - State Historical Preservation Office (SHPO) in an effort to identify any historical and/or archaeological sites that may be present in the proposed area of construction/operation. According to the response from SHPO, there are no previously recorded historical or archeological sites within the designated search locale. Additionally, the generator would be located within a previously disturbed industrial site typically used for portable asphalt operations. According to past correspondence from the Montana State Historic Preservation Office, there is low likelihood of adverse disturbance to any archaeological or historic site, given previous industrial disturbance within an area. Therefore, the operation of the generator would not impact on any known historical or archeological sites.

J. Cumulative and Secondary Impacts

The diesel-powered generators/engines would cause minor impacts on the physical and biological environment because the generator would result in emissions of particulate matter (PM), particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}), nitrogen oxides (NO_x), volatile organic compounds (VOC), carbon monoxide (CO), and sulfur oxides (SO_x). Additional noise impacts from the generators/engines would also be minor. As a result of the temporary or seasonal nature of the facility and conditions and limitations contained within Permit #2839-03, impacts would be minimized. There is potential for other operations to locate at this site; however, any operations would have to apply for and receive the appropriate permits from the Department prior to operation. These permits would address the environmental impacts associated with the operations at the site.

8. *The following table summarizes the potential economic and social effects of the proposed project on the human environment. The "no-action" alternative was discussed previously.*

		Major	Moderate	Minor	None	Unknown	Comments Included
A	Social Structures and Mores				X		Yes
B	Cultural Uniqueness and Diversity				X		Yes
C	Local and State Tax Base and Tax Revenue			X			Yes
D	Agricultural or Industrial Production			X			Yes
E	Human Health			X			Yes
F	Access to and Quality of Recreational and Wilderness Activities			X			Yes
G	Quantity and Distribution of Employment				X		Yes
H	Distribution of Population				X		Yes
I	Demands for Government Services				X		Yes
J	Industrial and Commercial Activity			X			Yes
K	Locally Adopted Environmental Plans and Goals				X		Yes
L	Cumulative and Secondary Impacts			X			Yes

SUMMARY OF COMMENTS ON POTENTIAL ECONOMIC AND SOCIAL EFFECTS: The following comments have been prepared by the Department.

A. Social Structures and Mores

The operation of the portable diesel-powered generators/engines would not alter or disrupt any local lifestyles or communities (social structures or mores) in the area of operation because the generator would be relatively small, would operate intermittently, and would be used with the existing permitted equipment at a previously disturbed site. Therefore, the existing social structures and mores would not be affected as a result of this permit action.

B. Cultural Uniqueness and Diversity

In the view of the Department, it would be unlikely that the portable generators/engines would have any impact on the cultural uniqueness and diversity of the proposed area of operation because the generator/engine operations would be temporary and would take place in a previously disturbed industrial area.

C. Local and State Tax Base and Tax Revenue

The operation of portable diesel-powered generators/engines would have little or no impact on the local and state tax base and tax revenue. The facility would be a temporary and seasonal source and would not remain at a site for an extended period of time. No full time

or permanent employees would be added as a result of issuing Permit #2839-03. Furthermore, any revenue created through the use of the generator would be for a relatively short time period.

D. Agricultural or Industrial Production

The generators/engines would be used at previously disturbed industrial areas; therefore, the Department does not expect that the permitted operation would impact or displace agricultural production. Furthermore, only minor impacts on any local industrial production would be expected because the operation of the facility (and generators/engines) would be temporary and would be relatively small in size.

E. Human Health

Permit #2839-03 would incorporate conditions to ensure that the generator/engine operations would be operated in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health. As described in Section 7.F. of this EA, the air emissions from these generators/engines would be minimized opacity limitations established in Permit #2839-03. Therefore, any associated impacts to human health would be minor.

F. Access to and Quality of Recreational and Wilderness Activities

This facility would be located on previously disturbed property and would not impact access to recreational and wilderness activities. However, minor impact on the quality of recreational activities might be created by the noise from the generators/engines. Emissions from these generators/engines would be minimized as a result of limitations placed in Permit #2839-03 and the temporary and portable nature of the operation

G. Quantity and Distribution of Employment

As a result of the relatively small size and temporary nature of the operation, the quantity and distribution of employment in the area would not be impacted. No full time, permanent employees would be employed as a result of issuing Permit #2839-03 for the addition of the portable diesel generator.

H. Distribution of Population

Given the relatively small size and portable nature of the operation and the surrounding land usage, the normal population distribution in the area would not be affected.

I. Demands for Government Services

Although minor increases would be observed in the local traffic on existing roads in the area where the facility operates, the operation of the diesel-powered generators/engines to the existing operations would not result in a need for new, altered, or additional government services.

J. Industrial and Commercial Activity

The operation of the generators/engines would represent only a minor increase in the industrial activity in any given area because of the small size and the portable and temporary nature of the facility; therefore, only minor additional industrial or commercial activity would result from the generator operations.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans and goals that would be affected by issuing this permit. The applicable state and federal standards would protect the environment surrounding the site.

L. Cumulative and Secondary Impacts

The generators/engines would cause only minor cumulative and secondary impacts to the social and economic aspects of the human environment because of the potential air emissions from the generator and increase in local traffic in the immediate area. Further, because the asphalt production facility is relatively small and operates temporarily, only minor social and economic impacts to the local economy could be expected from the operation of the facility. New businesses would not be drawn to any areas and permanent jobs would not be created or lost as result of the proposed project. Because no new employees would be hired, there would be no economic impacts from new employees. Thus, the operation of the generators/engines would result in only minor cumulative and secondary impacts would result to the social and economic environment.

Recommendation: No Environmental Impact Statement (EIS) is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: All potential effects resulting from the proposed project are minor; therefore, an EIS is not required. Since the operation of the diesel generator would be seasonal and temporary and operate according to the limitations and conditions in Permit #2839-03, no significant impacts would be expected from this project. Permit #2839-03 includes conditions and limitations to safeguard any potential environmental threat created by the proposed project.

Other groups or agencies contacted or which may have overlapping jurisdiction: Department of Environmental Quality - Permitting and Compliance Division (Air Resources Management Bureau and Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and the State Historic Preservation Office (Montana Historical Society).

Individuals or groups contributing to this EA: Department of Environmental Quality (Air Resources Management Bureau and Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and the State Historic Preservation Office (Montana Historical Society).

EA prepared by: Trista Glazier
Date: November 17, 2008